

भारत का राजपत्र **The Gazette of India**

प्राधिकार से प्रकाशित

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सं० 23] नई दिल्ली, शनिवार, जून 5, 1971/ज्येष्ठ 15, 1893
 No. 23] NEW DELHI, SATURDAY, JUNE 5, 1971/JYAISTHA 15, 1893

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर) केन्द्रीय प्राधिकरणों द्वारा जारी किये गये विधिक आदेश और अधिसूचनाएं।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

MINISTRY OF HEALTH AND FAMILY PLANNING

(Department of Health)

NOTIFICATIONS

New Delhi, the 25th May 1971

S.O. 2171.—In exercise of the powers conferred by sub-section (3) of section 12 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following amendments in the Second Schedule to the said Act, namely:—

In the said Schedule, in the entries relating to the United Kingdom, after the entry relating to the University of Dundee, the following entry shall be inserted, namely:—

“Royal College of Physicians of United Kingdom	M.R.C.P.	Member	R.C.P. U.K.”
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[No. F. 18-20/71-MPT.]

स्वास्थ्य और परिवार नियोजन मंत्रालय

(स्वास्थ्य विभाग)

अधिसूचनाएं

नई दिल्ली, 25 मई, 1971

एस० ओ० 2171.—भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) की धारा 12 की उप धारा (3) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार,

भारतीय चिकित्सा परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की द्वितीय अनुसूची में निम्नलिखित संशोधन करती है ; नामत :—

उक्त अनुसूची में, ब्रिटेन की प्रविष्टियों में, यूनिवर्सिटी ऑफ़ डुण्डी की प्रविष्टि के बाद निम्नलिखित प्रविष्टि रखली जाय, नामत :—

2 रायल कालेज ऑफ़ एम० आर०सी०पी० —सदस्य— आर०सी०पी० यू०के०
फिजिशियन ऑफ़
यूनाइटेड किंगडम

[सं० फा 18-20/71-एम० पी० टी०]

S.O. 2172.—Whereas Dr. B. P. Rajan, B.Sc., BDS., MDS., No. 1/28, Edward Elliotts Road, Mylapore, Madras-4, has been elected under clause (a) of section 3 of the Dentists Act, 1948 (16 of 1948) to be a member of the Dental Council of India from the State of Tamil Nadu with effect from the 29th March, 1971;

Now, therefore, in pursuance of section 3 of the said Act, the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Health No. 3-2/62-MII, dated the 17th October, 1962, namely:—

In the said notification, under the heading "Elected under clause (a) of section 3", for the entry against serial No. 3, the following entry shall be substituted, namely:—

Dr. B. P. Rajan,
B.Sc. BDS., MDS.,
Edward Elliotts Road, Mylapore, Madras-4".

[No. F. 3-10/70-M.P.T.]

एस० ओ० 2172.—यतः दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 3 के खंड (क) के अधीन डा० बी० पी० राजन, बी० एस० सी०, बी० डी० एस०, एम० डी०एस०, 1/28 एडवर्ड इलियट्स रोड, मिलापुर, मद्रास-4, 20 मार्च, 1971 से भारतीय दन्त चिकित्सा परिषद् के सदस्य निर्वाचित किये गये हैं ।

अब, अतः उक्त अधिनियम की धारा 3 का पालन करते हुए केन्द्रीय सरकार भारत सरकार के भूतपूर्व स्वास्थ्य मंत्रालय की अधिसूचना संख्या 3-2/62-चि० 2 दिनांक 17 अक्टूबर 1962 में एतद्वारा और आगे निम्नलिखित संशोधन करती है ; नामत :

उक्त अधिसूचना में, "धारा 3 के खंड (क) के अधीन चुने गये" शीर्षक के अन्तर्गत क्रम संख्या 3 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखली जाय ; नामत :—

"डा बी० पी० राजन, बी० एस० सी०, बी० डी०एस०, एम० डी० एस०,
एडवर्ड इलियट्स रोड, मिलापुर, मद्रास-4

[सं० फा० 3-10/70-एम० पी० टी०]

ORDER

New Delhi, the 23th May 1971

S.O. 2173.—Whereas by the notification of the Government of India in the late Ministry of Health No. F. 19-23/67-MPT, dated the 23rd November, 1967, the Central Government has directed that the Medical qualification, L.M. & S. (University of Madrid, Spain) shall be recognised medical qualification for the purposes of the Indian Medical Council Act 1956 (102 of 1956);

And whereas Dr. Costilla Barrero Enedina who possesses the said qualification is for the time being attached to the St Vincent's Provincial House, Shanti Ashram, Behrampur (Ganjam District) for the purposes of charitable work

Now, therefore, in pursuance of clause (c) of the proviso to sub-section (1) of section 14 of the said Act, the Central Government hereby specifies—

- (i) a period of two years from the date of publication of this order in the Official Gazette, or
- (ii) the period during which Dr. Costilla Barrero Enedina is attached to the said St. Vincent's Provincial House, Shanti Ashram, Behrampur (Ganjam District) whichever is shorter, as the period to which the medical practice by the aforesaid doctor shall be limited.

[No. F. 19-1/71-M.P.T.]

P. C. ARORA, Under Secy.

आदेश

नई दिल्ली, 25, मई, 1971

एस० पी० 2173.—यतः भारत सरकार के भूतपूर्व स्वास्थ्य मंत्रालय की 23 नवम्बर, 1967 की अधिसूचना संख्या एक 19-23/67-एम०पी० टी० द्वारा केन्द्रीय सरकार ने निदेश दिया है कि भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) के प्रयोजनों के लिये एल०एम० एण्ड एस० (यूनिवर्सिटी ऑफ मेडिकल, स्पेन) नामक चिकित्सा अर्हता मान्य चिकित्सा होगी;

और यतः डा० कास्टिल्ला बररो इनेडिना, जिसके पास उक्त अर्हता है धर्मार्थ कार्य के प्रयोजन के लिये फिलहाल सैण्ट विन्सेण्ट्स प्राविन्सियल हाउस, शान्ति आश्रम, बरहमपुर (गंजम जिला) के साथ सम्बद्ध है;

अतः अब उक्त अधिनियम की धारा 14 की उप धारा (1) के परन्तुक के खंड (ग) का अनुसरण करते हुए केन्द्रीय सरकार एतद्वारा :

- (1) इस आदेश के सरकारी गजट में प्रकाशित होने की तिथि से दो वर्ष की अवधि, अथवा
- (2) उस अवधि को जब तक डा० कास्टिल्ला बररो इनेडिना उक्त सैण्ट विन्सेण्ट्स प्राविन्सियल हाउस शान्ति आश्रम, बरहमपुर (गंजम जिला) के साथ सम्बद्ध रहते हैं, जो भी कम हो, वह अवधि विनिश्चित करती है, जिसमें पूर्वोक्त डाक्टर मेडिकल प्रैक्टिस कर सकेंगे।

[सं० फा० 19-1/71-एम० पी० टी०]

पी० सी० अरोरा, अवसर सचिव।

MINISTRY OF INFORMATION AND BROADCASTING

ORDER

New Delhi, the 24th May 1971

S.O. 2174.—In pursuance of the directions issued under the provision of each of the enactments specified in the First Schedule annexed hereto the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the film specified in column 2 of the Second Schedule annexed hereto in all its language versions to be of the description specified against it in column 6 of the said Second Schedule.

THE FIRST SCHEDULE

- (1) Sub-section(4) of Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).
- (2) Sub-Section (4) of Section 5 of the Punjab Cinemas (Regulation) Act, 1952 (Bombay Act XI of 1952).

[THE SECOND SCHEDULE

S. No.	Title of the film	Length 35 mm	Name of the Applicant	Name of the Producer	Whether a Scientific film or a film intended for educational purposes or a film dealing with news & current events or a documentary film
1)	(2)	(3)	(4)	(5)	(6)
1.	Haryana Samachar . Darshan No. 2.	266.70 M	Director of Public Relations, Haryana, Chandigarh.		Film dealing with news and current events (For release in Haryana Circuit only)

[No. F. 28/1/71-FP. App. 1580]

सूचना और प्रसारण मंत्रालय

आदेश

नई दिल्ली, 24 मई, 1971

एस० प्रो० 2174.—इसके साथ लगी प्रथम अनुसूची में निर्धारित प्रत्येक अधिनियम के उपबंध के अन्तर्गत जारी किये गए निदेशों के अनुसार, केन्द्रीय सरकार, फिल्म सलाहकार बोर्ड, बम्बई की सिफारिशों पर विचार करने के बाद, एतद्वारा, इसके साथ लगी द्वितीय अनुसूची के कालम 2 में दी गई फिल्म को उसके सभी भाषाओं के रूपान्तरों सहित जिसका विवरण उसके सामने उक्त द्वितीय सूची के कालम 6 में दिया हुआ है, स्वीकृत करती है :—

प्रथम अनुसूची

- (1) चलचित्र अधिनियम, 1952 (1952 का 37वां केन्द्रीय अधिनियम) की धारा 12 की उपधारा (4) तथा धारा 16.
- (2) पंजाब सिनेमा (विनियम) अधिनियम 1952 (1952 का 11वां पंजाब अधिनियम की धारा 5 की उपधारा (4)

द्वितीय अनुसूची

क्रम संख्या	फिल्म का नाम	लम्बाई 35 मि० मी०	आवेदक का नाम	निर्माता का नाम	क्या वैज्ञानिक फिल्म है या शिक्षा संबंधी फिल्म है या समाचार और सामयिक घटनाओं की फिल्म है या डाकु-मैट्री फिल्म है
1	2	3	4	5	6
(1)	हरियाणा समा-चार दर्शन संख्या 2	266.70 मीटर	जन सम्पर्क निवेशक, चंडीगढ़		हरियाणा, समाचार और सामयिक घटनाओं की फिल्म (केवल हरियाणा सर्किट के लिये)

[सं० फ० 28/1/71-एफ पी० परिशिष्ट 1580]

S. O. 2175.—In pursuance of the directions issued under the provision of the enactments specified in the First Schedule annexed hereto the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the film specified in column 2 of the Second Schedule annexed hereto in all its language versions to be of the description specified against it in column 6 of the said Second Schedule.

THE FIRST SCHEDULE

- (1) Sub-Section (4) of the Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).
- (2) Sub-Section (3) of Section 5 and Section 9 of the Bombay Cinemas (Regulation) Act, 1953 (Bombay Act XI of 1953).

THE SECOND SCHEDULE

Sl. No.	Title of the film	Length 35mm	Name of the Applicant	Name of the Producer	Whether a Scientific film or a film intended for educational purposes or a film dealing with news & current events or a documentary film.
(1)	(2)	(3)	(4)	(5)	(6)
1.	Maharashtra. News No 227	298.00 M	Director of Publicity, Government of Maharashtra Film Centre, 68-Tardeo Road, Bombay-34.		Film dealing with news- & current events (For release in Maharashtra circuit only).

[No. F. 28/1/71-PP App.1582]

एस० प्रो० 2175.— इस के साथ लगी प्रथम अनुसूची में निर्धारित प्रत्येक अधिनियम के उपबन्ध के अन्तर्गत जारी किये गये निदेशों के अनुसार, केन्द्रीय सरकार, फिल्म मलाहकार बोर्ड, बम्बई की सिफारिशों का विचार करने के बाद, एतद्द्वारा, इसके साथ लगी द्वितीय अनुसूची

के कालम 2 में दी गयी फिल्म को उसके सभी भाषाओं के रूपान्तरों सहित जिसका विवरण उसके सामने उक्त सूची के कालम 6 में दिया हुआ है, स्वीकृत करती है :—

प्रथम अनुसूची

- (1) चलचित्र अधिनियम, 1952 (1952 का 37 वां केन्द्रीय अधिनियम) की धारा 12 की उपधारा (1) तथा धारा 16 ।
- (2) बम्बई सिनेमा (विनियम अधिनियम, 1953 (1953 का 11वां बम्बई अधिनियम) की धारा 5 की उपधारा (3) तथा धारा 9 ।

द्वितीय अनुसूची

क्रम संख्या	फिल्म का नाम	लम्बाई 35 मि० मी०	आवेदक का नाम	निर्माता का नाम	क्या वैज्ञानिक फिल्म है या शिक्षा सम्बन्धी फिल्म है या समाचार और सामायिक घट- नाओं की फिल्म है या डाकुमेंटरी फिल्म है
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1	2	3	4	5	6
1	महाराष्ट्र समाचार संख्या 227	298.00 मीटर	प्रचार निदेशक, महाराष्ट्र सरकार फिल्म सेंटर, 68, तारदेव रोड, बम्बई-34		समाचार और सामयिक घटनाओं की फिल्म (केवल महाराष्ट्र सर्किट के लिये)

[संख्या फ० 28/1/71-एफ० पी० परिशिष्ट 1582]

S.O.2176.—In pursuance of the directions issued under the provision of each of the enactments specified in the First Schedule annexed hereto, the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the film specified in column 2 of the Second Schedule annexed hereto in Gujarati to be of the description specified against it in column 6 of the said Second Schedule.

THE FIRST SCHEDULE

- (1) Sub-Section 4 of the Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).
- (2) Sub-section (3) of Section 5 and Section 9 of the Bombay Cinemas (Regulation) Act, 1953 (Bombay Act XVII of 1953).
- (3) Sub-section (4) of Section 5 and Section 9 of the Saurashtra Cinemas (Regulation) Act, 1953 (Saurashtra Act XVII of 1953).

THE SECOND SCHEDULE

Sl. No.	Title of the film	Length 35mm	Name of the Applicant	Name of the Producer	Whether a Scientific film or a film intended for educational purposes or a film dealing with news & current events or a documentary film.
(1)	(2)	(3)	(4)	(5)	(6)
1.	Sachi Khadi (Immoral Traffic)	365.76M	Director of Information, Govt. of Gujarat, Ahmedabad.		Film intended for educational purposes (For release in Gujarat Circuit only).
2.	Mahitichitra No. 137	213.36M		Do.	Film dealing with news & current events (For release in Gujarat Circuit only).

¶No. F. 28/1/71-FP App. 1578 I

K. K. KHAN, Under Secy.

एस० नं० 2176.— इसके साथ लगी प्रथम अनुसूची में निर्धारित प्रत्येक अधिनियम के उपबन्ध के अन्तर्गत जारी किये गये निदेशों के अनुसार, केन्द्रीय सरकार, फिल्म सलाहकार बोर्ड, बम्बई की सिफारिशों पर विचार करने के बाद, एतद्वारा, इसके साथ लगी द्वितीय अनुसूची के कालम 2 में दी गयी फिल्म को उसके गुजराती भाषा रूपान्तरों सहित, जिसका विवरण उसके सामने उक्त द्वितीय अनुसूची के कालम 6 में दिया हुआ है, स्वीकृत करती है :—

प्रथम अनुसूची

- (1) चल चित्र अधिनियम, 1952 (1952 का 37 वां केन्द्रीय अधिनियम) की धारा 12 की उपधारा (4) तथा धारा 16 ।
- (2) बम्बई सिनेमा (विनियम) अधिनियम, 1953 (1953 का 17 वां बम्बई अधिनियम) की धारा 5 की उपधारा (3) तथा धारा 9 ।
- (3) सौराष्ट्र सिनेमा (विनियम) अधिनियम 1953 (1953 का 17 वां सौराष्ट्र अधिनियम) की धारा 5 की उपधारा (4) तथा धारा 9 ।

द्वितीय अनुसूची

क्रम संख्या	फिल्म का नाम	लम्बाई 35 मि० मी०	आवेदक का नाम	निर्माता का नाम	क्या वैज्ञानिक फिल्म है या शिक्षा सम्बन्धी फिल्म है या समाचार और सामयिक घटनाओं की फिल्म है या डाकुमेंट्री फिल्म है
1	2	3	4	5	6
1	यच्ची कदी	365.76 मीटर	सूचना निदेशक, अहमदाबाद ।	गुजरात सरकार,	शिक्षा सम्बन्धी फिल्म (केवल गुजरात सर्किट के लिये)

फा० सं० 55/1233/63-आ० क०) तारीख 18 मई, 1964 से उपायुक्त अनुसूची में निम्नलिखित संशोधन करता है :—

1. क्रम सं० 22 के सामने, स्तंभ 2 में, विद्यमान प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि प्रतिस्थापित की जाएगी, “जनरल इलेक्ट्रिक कम्पनी ऑफ इंडिया लिमिटेड के पश्चिमी बंगाल, पटना और उड़ीसा तथा असम राज्यों में तैनात सभी कर्मचारी।”

2. क्रम सं० 22 के पश्चात् निम्नलिखित मद जोड़ दी जाएगी —

1	2	3	4	5	6
22-क	जनरल इलेक्ट्रिक कम्पनी ऑफ इंडिया लिमिटेड के नई दिल्ली, कानपुर, जयपुर और चण्डीगढ़ में तैनात सभी कर्मचारी	आयकर अधिकारी वेतन सचिव कानपुर।	महायुक्त आयुक्त (निरीक्षण) जिसे वेतन सचिव कानपुर की बाबत सहायक आयुक्त अधिकारी के आयुक्त के कृत्यों का पालन करने के लिए नियुक्त किया गया है।	सहायक आयुक्त (अपील) जिसे स्तंभ 3 में निर्दिष्ट आयुक्त अधिकारी के कृत्यों का पालन करने के लिए नियुक्त किया गया है।	आयुक्त कानपुर।

[सं० 17 फा० सं० 186/72/70-आ० का० (ए 1)]

CORRIGENDUM

New Delhi, the 10th February, 1971

S.O. 2178.—In exercise of the powers conferred by Section 123 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby modifies its notification No. 5 [F. No. 187/2/70-IT(AI)], dated 15th June, 1970, as under:—

For “This notification shall take effect from the 1st January, 1971.”

Read “This notification shall take effect from the 10th April, 1971.”

[No. 3(F. No. 187/2/70-IT(AI)).]

B. MADHAVAN, Under Secy.

शुद्धिपत्र

नई दिल्ली, 19 फरवरी, 1971

एस० ओ० 2178.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 126 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा अपनी अधिसूचना संख्या 5 [फा० सं० 187/2/70 आ० क० (ए I)] तारीख 15-6-70 में निम्नलिखित उपांतरण करता है।

“यह अधिसूचना 1 जनवरी 1971 से प्रभावी होगी।” के स्थान पर

“यह अधिसूचना 10 अप्रैल 1971 से प्रभावी होगी।” पढ़ें।

[सं० 3 (फा० सं० 187/2/70 आ० क० (ए I))]

बी० माधवन, अवसर सचिव।

ELECTION COMMISSION OF INDIA*New Delhi, the 24th May 1971*

S.O. 2179.—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950, the Election Commission, in consultation with the Government of Orissa, hereby nominates Shri G. N. Das (on his re-employment by the State Government), as the Chief Electoral Officer for the State of Orissa with effect from 1st June, 1971, and until further orders.

[No. 154/10/71.]

By Order,
ROSHAN LAL, Secy.

भारत निर्वाचन आयोग

नई दिल्ली, 24 मई, 1971

एस० ओ० 2179.—लोक प्रतिनिधित्व अधिनियम, 1950 की धारा 13 क की उपधारा (1) प्रदत्त शक्तियों का प्रयोग करते हुए, निर्वाचन आयोग उड़ीसा सरकार के परामर्श से, श्री जी० एन० दाम को (राज्य सरकार द्वारा उनकी पुनर्नियुक्ति पर) उड़ीसा राज्य के लिए मुख्य निर्वाचन आफिसर के रूप में 1 जून, 1971 से अगले आदेशों तक एतद्द्वारा नाम-निर्दिष्ट करता है।

[संख्या-154/10/71]

आदेश से,
रोशन लाल, सचिव।

ERRATUM

In the Election Commission of India Notification No. 434/MT/70 (S.O. 4002) published in the Gazette of India Part II—Section 3—Sub-section (ii) dated the 26th December 1970 at page 5675 for the date line "New Delhi, the 20th November, 1970" read "New Delhi, the 24th November 1970".

MINISTRY OF FINANCE**(Department of Expenditure)***New Delhi, the 26th May 1971*

S.O. 2180.—In exercise of the powers conferred by the proviso to article 300 of the Constitution, the President hereby makes the following rules further to amend the Ministry of Finance (Department of Expenditure—Class III Posts) Recruitment Rules, 1961, published with the notification of the Government of India in the Ministry of Finance, Department of Expenditure No. S.O. 2492, dated the 9th October, 1961, namely:—

1. (1) These rules may be called the Ministry of Finance (Department of Expenditure—Class III Posts) Recruitment (Amendment) Rules, 1971.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Ministry of Finance (Department of Expenditure—Class III Posts) Recruitment Rules, 1961—

(1) for rule 5, the following rule shall be substituted, namely:—

"5. No person—

(a) who has entered into or contracted a marriage with a person having a spouse living, or

(b) who, having a spouse living, has entered into or contracted a marriage with any person

shall be eligible for appointment to any of the said posts:

Provided that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and there are other grounds for so doing, exempt any person from the operation of this rule.”;

(ii) in the Schedule, serial number “1. Accountant” and the entries relating thereto shall be omitted.

[No. A. 12018/1/70-E.I (B).]

H. K. NARULA, Under Secy.

वित्त मंत्रालय

व्यय विभाग

नई दिल्ली, 26 मई, 1971

एस० नो० 2180.—राष्ट्रपति, संविधान के अनुच्छेद 300 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते ए, भारत सरकार के वित्त मंत्रालय व्यय विभाग की अधिसूचना सं० का आ० 2492 तारीख 9 अक्तूबर, 1961 के साथ प्रकाशित वित्त मंत्रालय (व्यय विभाग—वर्ग 3 पद) भर्ती नियम, 1961 में और आगे सशोधन करने के लिए एतद्वारा निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. (1) इन नियमों का नाम वित्त मंत्रालय (व्यय विभाग—वर्ग 3 पद) भर्ती (संशोधन) नियम, 1971 होगा।

(2) ये शासकीय राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. वित्त मंत्रालय (व्यय विभाग—वर्ग 3 पद) भर्ती नियम, 1961 में,—

(i) नियम 5 के स्थान पर निम्नलिखित नियम प्रतिस्थापित किया जाएगा, अर्थात् :—

“5—वह व्यक्ति—

(क) जिसने ऐसे व्यक्ति से जिसका पति या जिसकी पत्नी जीवित है, विवाह किया है, या

(ख) जिसने अपने पति या अपनी पत्नी के जीवित होते हुए किसी व्यक्ति से विवाह किया है; सेवा में नियुक्ति का पात्र नहीं होगा।

परन्तु यदि केन्द्रीय सरकार का समाधान हो जाय कि ऐसा विवाह ऐसे व्यक्ति और विवाह के अन्य पक्षकार को लागू स्वीय विधि के अधीन अनुज्ञेय है और ऐसा करने के लिए अन्य आधार मौजूद है तो वह किसी व्यक्ति को इस नियम के प्रवर्तन से छूट दे सकेगी।”

(ii) अनुसूची में, क्रम संख्या “1—लेखापाल” और उससे सम्बन्धित प्रविष्टियां लुप्त कर दी जाएंगी।

[सं० ए० 12018/1/70—ई० आर्ड० (बी०)]

एस० के० नरुला, अधर सचिव।

(Department of Banking)

New Delhi, the 7th May 1971

S.O. 2181.—In exercise of the powers conferred by Section 53 read with Section 58 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India hereby declares that the provisions of Section 31 of the said Act and Rule 10 of the Banking Regulation (Co-operative Societies) Rules, 1968, shall not apply to the State Bank of

India Staff Co-operative Society Ltd., Madras in so far as they relate to the publication of its balance sheet and profit and loss accounts for the year ending the 30th June 1970, together with the auditor's report in a newspaper.

[No. F. 1-10/71-ACII.]

(बैंकिंग विभाग)

नयी दिल्ली, 7 मई, 1971

एस० ओ० 2181.—बैंकिंग विनियमन अधिनियम, 1949 (1949 के दसवें) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा यह घोषित करती है कि उक्त अधिनियम की धारा 31 और बैंकिंग विनियमन (सहकारी समिति) नियमावली, 1966 के नियम 10 के उपबन्ध, जहाँ तक उसका सम्बन्ध 30 जून, 1970 को समाप्त हुए वर्ष के लिये भारतीय राज्य बैंक कर्मचारी सहकारी संस्था लिमिटेड, मद्रास के तलवट और लेखा-परीक्षक की रिपोर्ट सहित उनके लाभ और हानि खातों के किसी समाचार-पत्र में प्रकाशन से है, उपरोक्त संस्था पर लागू नहीं होंगे।

[संख्या एफ० 1-10/71-ए०सी० II]

New Delhi, the 11th May 1971

S.O. 2182.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) of Section 11 of the said Act shall not apply to the Nakodar Hindu Co-operative Bank Ltd., Nakodar (District Jullundur) for a further period of one year with effect from 1st March, 1971.

[No. F. 15-6/71 AC.II.]

L. D. KATARIA, Dy. Secy.

नई दिल्ली, 11 मई, 1971

एस० ओ० 2182.—बैंकिंग विनियमन अधिनियम, 1949 (1949 का दसवाँ) की धारा 56 के साथ पठित धारा 53 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा यह घोषित करती है कि उक्त अधिनियम की धारा 11 की उपधारा (1) के उपबन्ध नकोदर हिन्दु को-ऑपरेटिव बैंक लिमिटेड, नकोदर (जिला जालन्धर) पर 1 मार्च, 1971 से एक वर्ष की अतिरिक्त अवधि के लिये लागू नहीं होंगे।

[संख्या एफ० 15-6/71-ए०सी० II]

एल० डी० कटारिया, उप-सचिव।

(Department of Banking)

New Delhi, the 21st May 1971

S.O. 2183.—Statement of the Affairs of the Reserve Bank of India, as on the 30th April, 1971.

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid Up	5,00,00,000	Notes	4,14,63,000
		Rupee Coin	4,84,000
Reserve Fund	150,00,00,000	Small Coin	3,65,000
National Agricultural Credit (Long Term Operations) Fund	172,00,00,000	Bills Purchased and Discounted :—	
		(a) Internal	14,14,12,000
		(b) External	18,67,98,000
		(c) Government Treasury Bills	
National Agricultural Credit (Stabilisation) Fund	37,00,00,000	Balances held abroad*	75,76,85,000
		Investments**	132,78,50,000
		Loans and Advances to :—	
National Industrial Credit (Long Term Operations) Fund	95,00,00,000	(i) Central Government . . . . .	..
		(ii) State Governments@	385,23,34,000
Deposits :—		Loans and Advances to :—	
(a) Government		(i) Scheduled Commercial Banks†	190,67,57,000
(i) Central Government	225,43,91,000	(ii) State Co-operative Banks††	242,54,98,000
(ii) State Governments	4,45,88,000	(iii) Others	5,46,66,000
		Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund	

LIABILITIES	Rs.	ASSETS	Rs.
(b) Banks		(a) Loans and Advances to:—	
(i) Scheduled Commercial Banks	215,31,63,000	(i) State Governments	41,90,70,000
(ii) Scheduled State Co-operative Banks	10,36,77,000	(ii) State Co-operative Banks	20,40,82,000
(iii) Non-Scheduled State Co-operative Banks	80,30,000	(iii) Central Land Mortgage Banks . . . . .	..
(iv) Other Banks	36,79,000	(b) Investment in Central Land Mortgage Bank Debentures	
		Loans and Advances from National Agricultural Credit	
		(Stabilisation) Fund	9,59,42,000
(c) Others :	78,74,17,000	Loans and Advances to State Co-operative Banks	3,93,73,000
Bills Payable	46,98,58,000	Loans, Advances and Investments from National Industrial	
		Credit (Long Term Operations) Fund :—	
Other Liabilities	183,62,99,000	(a) Loans and Advances to the Development Bank	29,83,71,000
		(b) Investment in bonds/debentures issued by the	
		Development Bank . . . . .	..
		Other Assets	49,89,52,000
			<u>1225,11,02,000</u>
	<u>Rupees</u>		<u>Rupees</u>
	1225,11,02,000		1225,11,02,000

* Includes Cash, Fixed Deposits and Short-term Securities.

** Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@ Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

† Includes Rs. 103,96,22,000 advanced to scheduled commercial Banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

†† Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 5th day of May, 1971

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 30th day of April, 1971

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
			Gold Coin and Bullion :—		
Notes held in the Banking Department	4,14,63,000		(a) Held in India	182,53,11,000	
			(b) Held outside India . . . . .	..
Notes in circulation	<u>4330,95,21,000</u>		Foreign Securities	<u>293,42,00,000</u>	
TOTAL Notes issued		4335,09,84,000	TOTAL		475,95,11,000
			Rupee Coin		45,23,64,000
			Government of India Rupee Securities		3812,91,09,000
			Internal Bills of Exchange and other commercial paper . . . . .		..
TOTAL LIABILITIES		<u>4335,09,84,000</u>	TOTAL ASSETS		<u>4335,09,84,000</u>

Dated the 5th day of May, 1971.

[No. F. 3(3)-BC/71]
(Sd.) S. JAGANNATHAN,
Governor,

(बोद्धिग विभाग)

नई दिल्ली, 21 मई, 1971

एस० नो० 2183.-30 अगस्त, 1971 को रिजर्व बैंक ऑफ इंडिया के बैंकिंग विभाग के कार्यकलाप का विवरण

देयताएं	रुपये	आस्तियां	रुपये
चुक्ता पूंजी	5,00,00,000	नोट	4,14,63,000
भारक्षित निधि	150,00,00,000	रुपये का सिक्का	4,84,000
राष्ट्रीय ऋषि ऋण—		छोटा सिक्का	3,65,000
(दीर्घकालीन क्रियाएं) निधि	172,00,00,000	खरीदे और भुनाये गये बिल :—	
राष्ट्रीय ऋषि ऋण—		(क) देशी	14,14,12,000
(स्थिरीकरण) निधि	37,00,00,000	(ख) विदेशी . . . . .	..
राष्ट्रीय औद्योगिक ऋण—		(ग) सरकारी खजाना बिल	18,67,98,000
(दीर्घकालीन क्रियाएं) निधि	95,00,00,000	विदेशों में रखा हुआ वकाला*	75,75,85,000
जमा राशियां —		निवेष्ट**	132,78,50,000
		ऋण और अग्रिम :—	
(क) सरकारी—			
(i) केन्द्रीय सरकार	225,43,91,000	(i) केन्द्रीय सरकार को . . . . .	..
(ii) राज्य सरकारें	4,45,88,000	(ii) राज्य सरकारों को @	685,23,34,000
(ख) बैंक—		ऋण और अग्रिम :—	
(i) अनुसूचित वाणिज्य बैंक	215,31,63,000	(i) अनुसूचित वाणिज्य बैंकों को†	190,67,57,000
(ii) अनुसूचित राज्य सहकारी बैंक	10,36,77,000	(ii) राज्य सहकारी बैंकों को†	242,54,98,000
		(iii) दूसरों को	5,46,66,000

(iii) गैर अनुसूचित राज्य सहकारी बैंक	80,30,000	राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि से-- ऋण, अग्रिम और निवेश	
(iv) अन्य बैंक	36,79,000	(क) ऋण और अग्रिम	
		(i) राज्य सरकारों को	41,90,70,000
		(ii) राज्य सहकारी बैंकों को	2,45,82,000
		(iii) केन्द्रीय भूमिबन्धक बैंकों को	..
(ब) अन्य	78,74,17,000	(ख) केन्द्रीय भूमिबन्धक बैंकों के डिबेंचरों में निवेश	9,59,42,000
देय बिल	46,98,58,000	राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से ऋण और अग्रिम	
अन्य देयताएँ	183,62,99,000	राज्य सहकारी बैंकों को ऋण और अग्रिम	3,93,73,000
		राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि से	
		ऋण, अग्रिम और निवेश	29,83,71,000
		(क) विकास बैंक को ऋण और अग्रिम	
		(ख) विकास बैंक द्वारा जारी किये गये बांडों/डिबेंचरों में निवेश	..
		अन्य आस्तियां	49,89,52,000
	रुपये		
	1225,11,02,000	रुपये	1225,11,02,000

*नकदी, आवश्यक जमा और अल्पकालीन प्रतिभूतियां शामिल हैं।

**राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि और राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि में से किये गये निवेश शामिल नहीं हैं।

(a) राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि से प्रदत्त ऋण और अग्रिम शामिल नहीं हैं, परन्तु राज्य सरकारों के अस्थायी ओवरड्राफ्ट शामिल हैं।

†रिजर्व बैंक ऑफ इंडिया अधिनियम की धारा 17 (4) (ग) के अधीन अनुसूचित वाणिज्य बैंकों को मीयादी बिलों पर अग्रिम दिये गये 103,96,22,000/- रुपये शामिल हैं।

††राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि और राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से प्रदत्त ऋण और अग्रिम शामिल नहीं हैं।

तारीख : 5 मई, 1971

रिज़र्व बैंक ऑफ़ इंडिया अधिनियम, 1934 के अनुसरण में अप्रैल, 1971 की 30 तारीख को समाप्त हुए सप्ताह के लिए लेखा
इस विभाग

देयताएं	रुपये	रुपये	आस्तियां	रुपये	रुपये
बैंकिंग विभाग में रखे हुए नोट	4,14,63,000		सोने का सिक्का और बुलियन :— (क) भारत में रखा हुआ	182,53,11,000	
संचलन में नोट	43,30,95,21,000		(ख) भारत के बाहर रखा हुआ विदेशी प्रतिभूतियां	293,42,00,000	
जारी किये गये कुल नोट		43,35,09,84,000	जोड़		475,95,11,000
			रुपये का सिक्का		46,23,64,000
			भारत सरकार की रुपया प्रतिभूतियां		3812,91,09,000
			देसी विनिमय बिल और दूसरे वाणिज्य-पत्र		..
कुल देयताएं		43,35,09,84,000	कुल आस्तियां		4334,09,84,000

तारीख : 5 मई, 1971

(ह०) एस० जगन्नाथन,
महानर ।

[सं० फा० 3(3)बी० सी०/71]

New Delhi, the 22nd May 1971

S.O. 2184.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (2) of section 19 of the said Act shall not apply, till the 31st March 1972 to the National Grindlays Bank Ltd., Calcutta, in respect of the shares held by it as pledgee of the undernoted companies as shown against their names.

Name of the company	Date of lodgement	Paid-up value of shares held
		(In lakhs of rupees)
1. Jay Kay Automobiles Pvt. Ltd.	24-11-1966 3-2-1967	1.65 0.25
2. Globe Management Pvt. Ltd.	24-11-1966 3-2-1967	3.06 0.05
3. Globe -United Engg. & Foundry Co. Ltd.,	20-11-1967 16-2-1968 16-3-1968	8.80 8.81 0.05

[No. F. 15 (15)—BC/71]

K. YESURATNAM, Under Secy.

नयी दिल्ली, 22 मई, 1971

एस०ओ० 2184.—बैंकिंग विनियमन अधिनियम, 1949 (1949 का दसवां) की धारा 53 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्द्वारा घोषित करती है कि उक्त अधिनियम की धारा 19 की उपधारा (2) के उपबन्ध, दी नेशनल ऐण्ड ग्रिण्डलेज बैंक लिमिटेड, कलकत्ता पर, निम्नलिखित कम्पनियों के सामने दिखाये गये शेयरों के सम्बन्ध में, जो उसके पास बन्धक-ग्राही के रूप में हैं, 31 मार्च, 1972 तक लागू नहीं होंगे :-

कम्पनी का नाम	रखने की तारीख	शेयरों का चुकता मूल्य
		(लाख रुपयों में)
1. जे के आटोमोबाइल्स प्राइवेट लिमिटेड	24-11-1966 3-2-1967	1.65 0.25
2. ग्लोब मैनेजमेण्ट प्राइवेट लि०	24-11-1966 3-2-1967	3.06 0.05
3. ग्लोब यूनाइटेड इंजीनियरिंग ऐण्ड फाउण्ड्री कम्पनी लि०	20-11-1967 16-2-1968 16-3-1968	8.80 8.81 0.05

[सं० एफ० 15 (15)—बी० सी०/71]

के० यसुरत्नम, अवर सचिव ।

(Department of Revenue and Insurance)

INCOME TAX

New Delhi, the 28th April, 1971

S.O. 2185.—In exercise of the powers conferred by sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby authorises:

1. Shri V. Gangoji Rao and
2. Shri T. G. C. Arachya

who are Gazetted Officers of the Central Government to exercise the powers of Tax Recovery Officers under the said Act.

2. This Notification shall come into force with effect from 1st May, 1971.

[No. 132(F. No. 404/49/71-ITCC).]

R. D. SAXENA, Dy. Secy.

(राजस्व और बीमा विभाग)

आयकर

नई दिल्ली 28 अप्रैल 1971

एस०ओ० 2185.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार (1) श्री १० गोजी राव और (2) श्री टी० जी० सी० अरचया को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अधीन कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना 1 मई, 1971 से प्रवृत्त होगी।

[सं० 132(फा० सं० 404/49/71-आई० टी० सी० सी०)]

आर० डी० सक्सेना, उपसचिव।

MINISTRY OF INDUSTRIAL DEVELOPMENT AND INTERNAL TRADE

(Department of Industrial Development)

(Indian Standards Institution)

New Delhi, the 20th May 1971

S. O. 2186.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks) Regulations 1955, as amended from time to time, the Indian Standards Institution hereby notifies that the licences Nos. CM/L-1982, 1983 and 1984 particulars of which are given below have been cancelled with effect from 1 May 1971 as the party due to certain unforeseen difficulties has shown its inability to operate the same :

Licence No. and Date	Name & Address of the Licensee	Article/Process covered by the licence cancelled	Relevant Indian Standard
CM/L-1982 13-5-1969	Srinivasa Pulverising Mills, F 6, Assisted Private Industrial Estate, Chittoor (A. P.)	DDT water dispersible powder.	IS : 565—1961
CM/L-1983 13-5-1969	Do.	Endrin emulsifiable concentrates.	IS : 1310-1958
CM/L-1984 13-5-1969	Do.	BHC water dispersible powder concentrates.	IS : 562—1962

[No. CMD/55 : 1982]

औद्योगिक विकास और आंतरिक व्यापार मंत्रालय

(औद्योगिक विकास विभाग)

(भारतीय मानक संस्था)

नई दिल्ली, 20 मई, 1971

एस. ओ. 2186.—उमय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम 1955, के विनियम 14 के उपविनियम (1) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि लाइसेंस सं० सी एम/एल-1982, 1983 और 1984 जिनके व्योरे नीचे दिए गए हैं 1 मई 1971 से रद्द कर दिए गए हैं क्योंकि लाइसेंसधारी ने कुछ अप्रत्याशित कठिनाइयों के कारण इन को चला सकने में अपनी असमर्थता प्रकट की है।

लाइसेंस संख्या और तिथि	लाइसेंसधारी का नाम और पता	रद्द किए गए लाइसेंस के अधीन वस्तु/प्रक्रिया	तत्सम्बन्धी भारतीय मानक
सी एम/एल-1892 13-5-1969	श्रीनिवास पुल्लराइजिंग मिल्स, एफ 6 असिस्टेड प्राइवेट इंडस्ट्रियल इस्टेट चित्तूर (आ०प्र०)	डी डी टी जलविसर्जनीय पाउडर	IS: 565-1961
सी एम/एल-1983 13-5-1969	"	एन्ड्रिन पायसनीय तेज द्रव	IS: 1310-1968
सी एम/एल-1984 13-5-1969	"	बी एच सी जलविसर्जनीय तेज पाउडर	IS: 562-1962

[सं० मी० एम० डी०/55:1982]

New Delhi, the 24th May 1971

S. O. 2187.—In pursuance of sub-regulation⁷(3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fee(s) per unit for various products details of which are given in the Schedule hereto annexed, have been determined] and the fee(s) shall come into force with effect from 16 January 1971 :

THE SCHEDULE

Sl. No.	Product/Class of Products	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit
(1)	(2)	(3)	(4)	(5)
1.	Varnish, undercoating, exterior, natural resin.	IS : 338-1952 Specification for varnish, undercoating, exterior natural resin.	One litre	1/2 paisa.
2.	Varnish, undercoating, exterior, synthetic resin.	IS : 339-1952 Specification for varnish, undercoating, exterior, synthetic resin.	One litre	1/2 paisa.
3.	Varnish, acid resisting, (a) clear, and (b) tinted.	IS : 342-1952 Specification for varnish, acid resisting, (a) clear, and (b) tinted.	One litre	1/2 paisa.

(1)	(2)	(3)	(4)	(5)
4.	Varnish, paper	IS:343-1952 Specification for varnish, paper.	One litre	1/2 paisa.
5.	Varnish, stoving (a) clear, and (b) tinted.	IS : 344-1952 Specification for varnish, stoving (a) clear, and (b) tinted.	One litre	1/2 paisa.
6.	Varnish, spirit, clear, hard	IS : 346-1952 Specification for varnish, spirit, clear, hard.	One litre	1/2 paisa
7.	Varnish, shellac, for general purposes.	IS : 347-1952 Specification for varnish, shellac, for general purposes.	One litre	1/2 paisa.

[No. CMD/1 : 10]

नई दिल्ली, 24 मई, 1971

एस० अं० 2187.—भारतीय मानक संस्था (प्रमाणित चिह्न) लिमिटेड 1955 के विनियम 7 के उपविनियम (3) के अनुसार भारतीय मानक संस्था की ओर से अधिसूचित किया जाता है कि विभिन्न वस्तुओं की प्रति इकाई मुद्रांश फीस जिन्के व्योरे नीचे अनुसूची में दिए गए हैं, निश्चित की गई हैं और ये फीस 16 जनवरी 1971 से लागू हो जायेंगी :

अनुसूची

क्रमिक	उत्पाद/उत्पाद का वर्ग	सम्बद्ध भारतीय मानक की पदसंख्या और शीर्षक	इकाई	प्रति इकाई मुहर लगाने की फीस
(1)	(2)	(3)	(4)	(5)
1	बाहर के लिए नीचे परत देने की प्राकृतिक राल वाली IS : 338-1952 बाहर के लिए, नीचे परत देने की प्राकृतिक राल वाली वार्निश की विशिष्टि	एक लीटर	1/2 पैसा	
2	बाहर के लिए नीचे परत देने की मश्लिष्ट राल वाली वार्निश	IS : 339-1952 बाहर के लिए, नीचे परत देने की मश्लिष्ट राल वाली वार्निश की विशिष्टि	एक लीटर	1/2 पैसा
3	अम्ल प्रतिरोधी वार्निश (क) साफ, और (ख) रंगत वाली	IS : 342-1952 अम्ल प्रतिरोधी वार्निश (क) साफ, और (ख) रंगत वाली, की विशिष्टि	एक लीटर	1/2 पैसा
4	कागज की वार्निश	IS : 343-1952 कागज की वार्निश की विशिष्टि	एक लीटर	1/2 पैसा

(1)	(2)	(3)	(4)	(5)
5	स्टीविंग वार्निश (क) साफ, और (ख) रंगत वाली	IS : 344-1952 स्टीविंग वार्निश (क) साफ, और (ख) रंगत वाली की विशिष्टि	एक लीटर	1/2 पैसा
6	स्पिरिट वार्निश, साफ, सख्त	IS : 346-1952 स्पिरिट वार्निश, साफ, सख्त की विशिष्टि	एक लीटर	1/2 पैसा
7	सामान्य कार्यों के लिए चपड़ा वार्निश	SI : 347-1952 सामान्य कार्यों के लिए चपड़ा वार्निश की विशिष्टि	एक लीटर	1/2 पैसा

[सं० सी० एम० डी०/13 : 10]

S.O. 2188.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fee(s) per unit for various products details of which are given in the Schedule hereto annexed, have been determined and the fee(s) shall come into force with effect from 1 April 1971 :

THE SCHEDULE

Sl. No.	Product/Class of Products	No. and Title of Relevant Indian Standard	Unit	Marking fee per Unit
(1)	(2)	(4)	(4)	(5)
1.	Cast iron rainwater pipes	IS : 1230-1968 Specification for cast iron rainwater pipes and fittings. (first revision)	One tonne	Re. 1.00
2.	3-Jaw self-centering lathe chuck	IS : 2876-1964 Specification for 3-jaw self-centering lathe chucks.	One piece	Rs. 2.00
3.	Flow cups	IS : 3944-1966 Specification for flow cups.	One piece	Rs. 1.00

[No. CMD/13 : 10]

एस० श्रो० 2188.—भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम, 1955 के विनियम 7 के उपविनियम (3) के अनुसार भारतीय मानक संस्था की ओर से अधिसूचित किया जाता है कि विभिन्न वस्तुओं की मुहरांकन फसों जिनके व्योरे नीचे अनुसूची में दिए हैं, निर्धारित की गई हैं और ये फसों 1 अप्रैल, 1971 से लागू हो जाएंगी :

अनुसूची





क्रमांक	उत्पाद/उत्पाद का वर्ग	सम्बद्ध भारतीय मानक की पदसंख्या और शीर्षक	इकाई	प्रति इकाई मुहर लगाने की फीस
(1)	(2)	(3)	(4)	(5)
1	ढलवां लोहे के बरसानी पानी के पाइप	IS : 1230-1968 ढलवां लोहे के बरसानी पानी के पाइप और फिटिंग की विशिष्टि (पहला पुनरीक्षण)	1 मीटरी टन	रु० 1.00
2	तीन-जॉ वाले स्वतः केंद्र स्थायी खराद चक्र	IS : 2876-1964 तीन-जॉ वाले स्वतः केंद्र-स्थायी खराद चक्रों की विशिष्टि	एक द	रु० 2.00
3	बहाव का	IS : 3944-1966 बहाव कपों की विशिष्टि	एक मद	रु० 1.00




[सं० सी० एम० डी०/13:10]

S.O. 2182.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standards Institution hereby notifies that the Standard Mark(s), design (s) of which together with the verbal description of the design(s) and the title(s) of the relevant Indian Standard(s) are given in the Schedule hereto annexed, have been specified

These Standard Mark(s) for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from 16 January 1971.

THE SCHEDULE



Sl. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the Design of the Standard Mark
(1)	(2)	(3)	(4)	(5)
1.	IS : 338 	Varnish, undercoating, exterior, natural resin	IS : 338-1952 Specification for varnish, undercoating, exterior, natural resin.	The monogram of the Indian Standards Institution, consisting of letters 'ISI' drawn in the exact style and relative proportions as indicated in Col. (2), the number designation of the Indian Standard being super-scribed on the top side of the monogram as indicated in the design.
2.	IS : 339 	Varnish, undercoating, exterior, synthetic resin.	IS 339-1952 Specification for varnish, undercoating, exterior, synthetic resin.	The monogram of the Indian Standards Institution, consisting of letters 'ISI' drawn in the exact style and relative proportions as indicated in Col. (2), the number designation of the Indian Standard being super-scribed on the top side of the monogram as indicated in the design.
3.	IS : 342 	Varnish, acid resisting (a) clear, and (b) tinted.	IS:342-1952 Specification for varnish, acid resisting, (a) clear, and (b) tinted.	The monogram of the Indian Standards Institution, consisting of letters 'ISI' drawn in the exact style and relative proportions as indicated in Col. (2), the number designation of the Indian Standard being super-scribed on the top side of the monogram as indicated in the design.
4.	IS : 343 	Varnish, paper	IS:343-1952 Specification for varnish, paper.	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2), the number designation of the Indian Standard being super-scribed on the top side of the monogram as indicated in the design.





(1)	(2)	(3)	(4)	(5)
5. IS : 344	Varnish, stoving (a) clear, and (b) tinted.	IS:344-1952 Specification for varnish, stoving (a) clear, and (b) tinted.	The monogram of Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	
				
6. IS : 346	Varnish, spirit, clear, hard.	IS:346-1952 Specification for varnish, spirit, clear, hard.	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	
				
7. IS : 347	Varnish, shellac, for general purposes.	IS:347-1952 Specification for varnish, shellac, for general purposes.	The monogram of the Indian Standards Institution consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	
				

एस० नो० 2189 :—भारतीय मानक संस्था (प्रमाणन चिह्न) नियम 1955, के नियम 4 के उपनियम (1) के अनुसार भारतीय मानक संस्था की ओर से अधिसूचित किया जाता है कि मानक चिह्न जिनकी डिजाइन और आबिक विवरण तत्सम्बन्धी भारतीय मानकों के अधिक सहित नीचे अनुसूची में दिए हैं, भा मा संस्था द्वारा निर्धारित किए गए हैं।

भारतीय मानक संस्था (प्रमाणन चिह्न) अधिनियम 1952 और उसके अधीन बने नियमों के निमित्त ये मानक चिह्न 16 जनवरी 1971 में लागू हो जाएंगे।

अनुसूची

क्रमिक	मानक चिह्न की डिजाइन	उत्पाद/उत्पाद का वर्ग	सम्बद्ध भारतीय मानक की पदसंख्या और शीर्षक	मानक चिह्न की डिजाइन का आबिक विवरण
(1)	(2)	(3)	(4)	(5)
1		बाहर के लिए, नीचे परत देने की प्राकृतिक राल वाली वार्निश	IS : 338-1952 बाहर के लिए नीचे परत देने की प्राकृतिक राल वाली वार्निश की विशिष्टि	भारतीय मानक संस्था का मोनोग्राम जिसमें 'ISI' शब्द होते हैं स्तम्भ (2) में दिखाई शैली और अनुपात में तैयार किया गया है, और जैसा दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पदसंख्या दी हुई है।
2		बाहर के लिए नीचे परत देने की संश्लिष्ट राल वाली वार्निश	IS : 339-1952 बाहर परत देने की संश्लिष्ट राल वाली वार्निश की विशिष्टि	भारतीय मानक संस्था का मोनोग्राम जिसमें 'ISI' शब्द होते हैं स्तम्भ (2) में दिखाई शैली और अनुपात में तैयार किया गया है, और जैसा दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पदसंख्या दी हुई है।

(1)	(2)	(3)	(4)	(5)
3	IS: 342		अम्ल प्रतिरोधी वार्निश (क) साफ, और (ख) रंगत वाली	IS : 342-1952 अम्ल प्रतिरोधी वार्निश (क) साफ, और (ख) रंगत वाली की विशिष्टि
	IS: 343		कागज की वार्निश	भारतीय मानक संस्था का मोनोग्राम जिसमें 'ISI' शब्द होते हैं स्तम्भ (2) में दिखाई शैली और अनुपात में तैयार किया गया है, और जैसा दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पदसंख्या दी हुई है । भारतीय मानक संस्था का मोनोग्राम जिसमें 'ISI' शब्द होते हैं स्तम्भ (2) में दिखाई शैली और अनुपात में तैयार किया गया है, और जैसा दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पदसंख्या दी हुई है ।
	IS: 344		स्टीविंग वार्निश (क) साफ, और (ख) रंगत वाली	भारतीय मानक संख्या का मोनोग्राम जिसमें 'ISI' शब्द होते हैं स्तम्भ (2) में दिखाई शैली और अनुपात में तैयार किया गया है, और जैसा दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पदसंख्या दी हुई है ।
	IS: 346		स्पिरिट वार्निश, साफ, सफ़्त	IS : 346-1952 स्पिरिट वार्निश, साफ सफ़्त की विशिष्टि



7

सामान्य कार्यो के लिए चपडा
निर्देश

भारतीय मानक संस्था का मोनोग्राम जिसमें
'ISI' शब्द होता है स्तम्भ (2) में दिखाई
मिलेगी और अनुपात में तैयार किया गया है,
और जैसा दिखाया गया है उस मोनोग्राम
के ऊपर की ओर भारतीय मानक की पदसंख्या
दी हुई है ।

[सं० सी० एम० डी०/13:9]

S.O. 2190.—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended from time to time, and consequent upon publication of IS:1718-1970 Specification for cotton spindle tapes (first revision), it is, hereby notified that IS:986-1962 Specification for cotton spindle tape (for wool Textile Mills), details of which were published under notification number S.O. 3593 dated 20 November, 1962, in the Gazette of India, Part II, Section 3-Sub-Section (ii) dated 1st December, 1962, has been cancelled.

[No. CMD/13:7.]

एस० प्रो० 2190.—समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिह्न) नियम 1955 के विनियम 5 के उपविनियम (1) के अनुसार और IS: 1718-1970 तकुओं के सूती टेप की विशिष्ट (पहला पुनरीक्षण) के प्रकाशित होने के फलस्वरूप सूचित किया जाता है कि आई एस : 986-1962 तकुओं की सूती टेप की विशिष्ट (ऊनी वस्त्रादि मिलों के लिए) जिसके ब्यौरे अधिसूचना संख्या एस० प्रो० 3593 दिनांक 20 नवम्बर, 1962 के अन्तर्गत भारत के राजपत्र भाग खण्ड 3—उपखण्ड (2) दिनांक 1 दिसम्बर, 1962 में प्रकाशित हुए थे, रद्द कर दिया गया है।

[सं० सी० एम० डी०/13:7]

S.O. 2191.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standards Institution hereby notifies that the Standard Mark(s), design(s) of which together with the verbal description of the design (s) and the title (s) of the relevant Indian Standard(s) are given in the Schedule hereto annexed, have been specified.

These Standard Mark(s) for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from 1 April 1971 :

THE SCHEDULE

Sl. No.	Design of the Standard Mark	Product Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the Design of the Standard Mark
(1)	(2)	(3)	(4)	(5)
1	IS : 1230	Cast iron rainwater pipes	IS : 1230-1968 Specification for cast iron rainwater pipes and fittings (first revision)	The monogram of the Indian Standards Institution, consisting of letters 'ISI,' drawn in the exact style and relative proportions as indicated in Col (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.
2	IS : 2876	3-Jaw self-centering Lathe Chucks	IS : 2876-1964 Specification for 3-Jaw self-centering lathe chucks	The monogram of the Indian Standards Institution, consisting of letters 'ISI,' drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.

(1)	(2)	(3)	(4)	(5)
3	IS : 3944	Flow cups	IS : 3944-1966 Specification for Flow cups	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.

[No. CHD/13 : 9]

A. K. GUPTA,
Dy. Director General.

एस० नो० 2191.—भारतीय मानक संस्था (प्रमाणन चिह्न) नियम 1955, के नियम 4 के उप-नियम (1) के अनुसार भारतीय मानक संस्था की ओर से अधिसूचित किया जाता है कि मानक चिह्न जिनकी डिजाइन और शाब्दिक विवरण तत्सम्बन्धी भारतीय मानकों के शीर्षक सहित नीचे अनुसूची में दिए हैं, भा मा संस्था द्वारा निर्धारित किए गए हैं।

भारतीय मानक संस्था (प्रमाणन चिह्न) अधिनियम, 1952 और उसके अधीन बने नियमों के निमित्त ये मानक-चिह्न 1 अप्रैल 1971 से लागू हो जाएंगे।

अनुसूची

क्रमांक	मानक चिह्न की डिजाइन	उत्पाद/उत्पाद का वर्ग	सम्बन्ध भारतीय मानक की पद संख्या और शीर्षक	मानक चिह्न की डिजाइन का शाब्दिक विवरण
1	2	3	4	5

1	IS : 1230	ढलवां लोहे के बरसाती पानी के पाइप	IS: 1230-1968	भारतीय मानक संस्था का मोनोग्राम जिसमें IS शब्द होते हैं स्तम्भ (2) की त्रिशिष्टि (पहला प्रनुपात में तैयार किया गया है। और जैसा दिखाया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पद-संख्या दी हुई है।
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1

2

3

4

5

- 2 IS : 2876 तीन-जा वाले स्वतःकेन्द्र- IS: 2976-1964 तीन भारतीय मानक संस्था का स्थापी खराद चक जॉ वाले स्वतः केन्द्र - मोनोग्राम जिसमें IS शब्द होते हैं स्तम्भ (2) में दिखाई शैली और अनुपात में तैयार किया गया है। और जैसा दिखाया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पद संख्या दी गई है।
- 3 IS : 3944 बहाव कप IS : 3944-1966 भारतीय मानक संस्था का बहाव कपों की मोनोग्राम जिसमें IS शब्द होते हैं स्तम्भ (2) में दिखाई शैली और अनुपात में तैयार किया गया है। और जैसा दिखाया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पद संख्या दी गई है।

[सं० सी० एम० डी०/13:9]

ए० के० गुप्ता,
उप महानिदेशक।

MINISTRY OF WORKS, HOUSING AND URBAN DEVELOPMENT

(Directorate of Estates)

New Delhi, the 24th May 1971

S.O. 2192.—In pursuance of the provisions of rule 45 of the Fundamental Rules, the President hereby makes the following rules further to amend the Allotment of Government Residences (General Pool in Delhi) Rules, 1963 contained in Part VIII Division XXVI-B of the Supplementary Rules issued with the Government of India. Finance Department letter No. 104-CSR, dated the 4th February, 1972, namely:

1. (1) These rules may be called the Allotment of Government Residences (General Pool in Delhi), II Amendment Rules, 1971.

(2) They shall come into force on the 15th day of June, 1971.

2. In the Allotment of Government residences (General Pool in Delhi) Rules, 1963, for the words "licence fee" occurring in the S.R. 317-B-2(1) and S.R. 317-B-21(1), the word 'rent' shall respectively be substituted.

[No. F. 18011(1)/70-Pol.I.]

निर्माण, आवास और नगर विकास विभाग मंत्रालय

(सम्पदा निदेशालय)

नई दिल्ली, 24 मई, 1971

का.प्रा. 2192.—राष्ट्रपति, मूल नियमों के नियम 45 के उपबंधों के अनुसरण में भारत सरकार, वित्त विभाग के पत्र सं० 104 सि० सं० नि० तारीख 1 फरवरी, 1922 के साथ जारी किए गए अनुपूरक नियमों के भाग VIII प्रभाग XXVI-ख, में अंतर्निष्ठ, सरकारी निवास स्थानों (दिल्ली में साधारण पूल) का आवंटन नियम, 1963 में और आगे संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् —

1. (1) ये नियम सरकारी निवास स्थानों (दिल्ली के साधारण पूल) का आवंटन द्वितीय संशोधन नियम, 1971 कहे जा सकेंगे।

(2) ये जून 1971 को पंद रह तारीख से प्रवृत्त होंगे।

2. सरकारी निवास स्थानों (दिल्ली में साधारण पूल) का आवंटन नियम, 1963 में अनु० नि० 317-ख-2(ठ) और अनु० नि० 317-ख-21(1) में आने वाले 'लाइसेंस फीस' शब्दों के स्थान पर क्रमशः 'भाटक' शब्द प्रतिस्थापित किया जाएगा।

[नं० एफ 18011(1)/70-नीति-1]

New Delhi, the 26th May 1971

S.O. 2193.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (32 of 1958), the Central Government hereby appoints the officer mentioned in column 1 of the Table below, being gazetted officer of Government, to be estate officer for the purposes of the said Act, who shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act within the local limits of his jurisdiction in respect of the public premises specified in the corresponding entry in column 2 of the said Table.

THE TABLE

1	2
Designation of officer	Categories of public premises
Chief Staff Officer (P & A) in the Office of Flag Officer Commanding-in-Chief, Western Naval Command, Bombay.	Premises belonging to, or taken on lease, or requisitioned, by, or on behalf of the Ministry of Defence.

[No. 21011 (4), 66-Pol.IV]

P. N. KHANNAH,

Deputy Director of Estates and
Ex-Officio Under Secy.

नई दिल्ली, 26 मई, 1971

का.प्रा. 2193.—लोक परिसर (अप्रधिकृत अधिभोगियों की बेदखली) अधिनियम, 1958 (1958 का 32) की धारा 3 द्वारा प्रदत्त शक्तियां का प्रयोग करते हुए केन्द्रीय सरकार निम्न सारणी के स्तम्भ 1 में वर्णित अधिकारी को, सरकार का राजपत्रित अधिकारी होने के नाते, उक्त

अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी नियुक्त करती है जो अपनी अधिकारिता की स्थानीय सीमाओं के भीतर उक्त सारणी के स्तम्भ 2 में तत्स्थानी प्रविष्ट में विनिर्दिष्ट लोक परिसरों की बाबत उक्त अधिनियम के द्वारा या अधीन ऐसे सम्पदा अधिकारियों पर उसे प्रदत्त शक्तियों का प्रयोग और सौंपे गए कर्तव्यों का निर्वहन करेगा।

सारणी

आफिसर का पदाभियान	लोक परिसरों के प्रकार
1	2
फ़्लैग आफिसर कमाण्डिंग इन चार्ज, पश्चिमी नौसेना कमाण्ड, मुम्बई के कार्यालय में चीफ स्टाफ आफिसर (पी एण्ड ए)	रक्षा मंत्रालय के या उसकी ओर से या द्वारा पट्टे पर ली गई या अधिगृहीत परिमर।

[सं० 21011 (4)/66-नीति-4]

पी० एन० खन्ना,

सम्पदा उप निदेशक तथा पदेन

अवर सचिव, भारत सरकार

MINISTRY OF IRRIGATION AND POWER

CORRIGENDA

New Delhi, the 17th May 1971

S.O. 2194.—In the Government of India, Ministry of Irrigation and Power Orders published under No.S.O.1464 at pages 1759-1760 of Part II Section 3(ii) of the Gazette of India, dated the 3rd April, 1971, the following corrections shall be carried out :—

S. No.	Page No.	Line	For the words figures, brackets printed/published	Please read/add
1	1759	1	'Sub-Rules'	'Sub-Rule'
2	1759	2	..	'that' be added after the last word of the line 'directs'
3	1759	9	'Serial No. 1281'	'Serial No. 1231'
4	1759	22	'crores'	'crores'
5	1759	37	'(8)'	'(3)'

[No. EL. II. 6 (1) 68]

S.O. 2195.—In the order published with the Notification of the Government of India in the Ministry of Irrigation and Power No S.O. 1463 at pages 1758-1759 of Part II, Section 3(ii) of the Gazette of India dated the 3rd April, 1971, the following corrections shall be carried out:—

1. Page 1758 The word 'un-eneased' appearing at Sl. No. 2 of English version the word 'un-encased' shall be substituted.

2. Page 1759 The Hindi words 'संय अनावश्यक' appearing at Sl. No. 4 of Hindi version the words 'समय आवश्यक' shall be substituted.

[No. EL.II.6(7)/69.]

M. RAMANATHAN,

Deputy Director (Power).

सिचार्ड और विद्युत मंत्रालय

शुद्धिपत्र

नई दिल्ली, 17 मई, 1971

एस० ओ० 2195.—भारत के राजपत्र, दिनांक 3 अप्रैल, 1971 भाग-2, खण्ड 3(II) के पृष्ठ 1758-1759 पर सिचार्ड और विद्युत मंत्रालय, भारत सरकार के सं० एस० ओ० 1463 में अधिसूचना के साथ प्रकाशित आदेश में निम्नलिखित शुद्धियाँ की जाएँ:—

1. पृष्ठ 1758 अंग्रेजी पाठ के क्रम सं० 2 में 'un-encased' शब्द के स्थान पर 'un-encased' पढ़ा जाए।
2. पृष्ठ 1759 हिन्दी पाठ के क्रम सं० 4 में हिन्दी शब्द 'संय अनावश्यक' शब्द के स्थान पर 'समय आवश्यक' पढ़ा जाए।

[सं० वि०दो० 6(7)/69]

एम० रामनाथन्,

उप निदेशक (विद्युत)

MINISTRY OF HOME AFFAIRS

New Delhi, the 25th May 1971

S.O. 2196.—In exercise of the powers conferred by sub-section (1) of section 3 of the Charitable Endowments Act, 1890 (6 of 1890), and in supersession of the notification of the Government of India in the Ministry of Home Affairs, No. F.1/6/69-Judl.I. dated the 3rd November, 1969, the Central Government hereby appoints the Deputy Secretary (Budget) to the Government of India in the Ministry of Finance, Department of Economic Affairs, *ex-officio* to be the Treasurer of Charitable Endowments for India with effect from the date he takes over.

[No. F. 1/2/71-Judl.(A).]

B. SHUKLA, Dy. Secy.

गृह मंत्रालय

नई दिल्ली, 25 मई, 1971

का० आ० 2196.—पूर्व विन्यास अधिनियम, 1890 (1890 का 6) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के गृह मंत्रालय की अधिसूचना संख्या एक० 1/6/69—जुडि० 1, तारीख 3 नवम्बर, 1969 को अधिकांत करते हुए, केन्द्रीय सरकार, भारत सरकार के वित्त मंत्रालय, आर्थिक कार्य विभाग के उपसचिव (बजट) को, भारत के लिए खैराती विन्यास के पदेन कोषाध्यक्ष के रूप में, अपना पद भार संभालने की तारीख से, एतद्द्वारा नियुक्त करती है।

[सं० एक० 1/2/71—जुडि० (ए०)]

बह्मनन्द शुक्ल, उप सचिव।

शुद्धि पत्र

नई दिल्ली, 20 मई, 1971

का० आ० 2197.—तारीख 31 मार्च, 1969 के भारत के असाधारण राजपत्र भाग II—खण्ड 3 उप खण्ड (ii) में पृष्ठ 410 से 412 तक भारत सरकार गृह मंत्रालय की अधिसूचना संख्या का० आ० 1304 दिनांक 28 मार्च, 1969 के साथ प्रकाशित।

पृष्ठ 410 पर पैरा 1 की पंक्ति 1 और 2 में "होम्योपैथी चिकित्सा पद्धति परिषद् (पुनर्गठन और पुनः संगठन)" के स्थान पर 'होम्योपैथी चिकित्सा पद्धति परिषद्, पंजाब (पुनर्गठन और पुनः संगठन), पढ़ें।'

[सं० 17/9/71-एस० आर०]

एम० आर० सचदेव, अवर सचिव।

MINISTRY OF FOREIGN TRADE

New Delhi, the 22nd May 1971

S.O. 2198.—Whereas the Textile Committee has established standard specifications for the material as defined in clause (d) of regulation 2 of the Mill-made Cotton Made-up Articles (Towels) Inspection Regulations, 1969 for the purpose of export;

And whereas on the recommendation made to it in this behalf by the Textiles Committee the Central Government is of opinion that the material which does not conform to the standing established by the said Committee should not be exported;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Textiles Committee Act, 1963 (41 of 1963), and in supersession of the Notification of the Gazette of India in the Ministry of Foreign Trade No. S.O. 1500, dated the 27th March, 1971 the Central Government hereby prohibits the export from India to any foreign country of the material defined in clause (d) of regulation 2 of the Mill-made Cotton Made-up Articles (Towels) Inspection Regulations, 1969, unless such material is covered by a certificate issued in this behalf under regulation 11 of the said regulations:

Provided that the above prohibition shall not apply to the export of low standard material which does not conform to the minimum standard required for the issue of a certificate under regulation, 4 of the said regulations, if an order is received from abroad for the supply of such low standard material and if the officer authorised by the Textiles Committee in this behalf is satisfied about the bonafides of such order and the export of such material is authorised by him.

2. This notification shall come into force on the 15th June, 1971.

[No. F. 5/18/70-Tex-A.]

विदेश व्यापार मंत्रालय

नई दिल्ली, 22 मई, 1971

का० आ० 2193.— यतः वस्त्र समिति ने, मिल निर्मित रुई की बनी वस्तु (तौलिए) निरोक्षण विनियम, 1969 के विनियम 2 के खण्ड (घ) में परिभाषित सामग्री के लिए निर्यात के प्रयोजनार्थ मानक विनिर्देश नियत किए हैं;

और, यतः केन्द्रीय सरकार की, वस्त्र समिति द्वारा उसे इस निमित्त की गई सिफारिश पर, यह राय है कि उस सामग्री का निर्यात नहीं किया जाना चाहिए जो उक्त समिति द्वारा स्थापित मानकों के प नहीं हैं;

अतः अब, वस्त्र समिति अधिनियम, 1963 (1963 का 41) की धारा 17 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के विदेशी व्यापार मंत्रालय की अधिसूचना सं० का० आ० 1500 तारीख 27 मार्च, 1971 को अधिकांश करते हुए, केन्द्रीय सरकार, भारत से किसी विदेश को, मिल-निर्मित रुई की बनी वस्तु (तैलिये) निरीक्षण विनियम, 1969 के विनियम 2 के खण्ड (घ) में परिभाषित सामग्री के निर्यात को एतद्वारा प्रतिषिद्ध करती है जब तक वह सामग्री उक्त विनियमों के विनियम 11 के अधीन इस निमित्त जारी किए गए प्रमाणपत्र के अंतर्गत न आती हो :

परन्तु उक्त प्रतिषेध उस निम्न मानक सामग्री के जो उक्त विनियमों के विनियम 4 के अधीन प्रमाणपत्र के जारी किए जाने के लिए अपेक्षित न्यूनतम मानक के अनुरूप न हो निर्यात को उस देश में लागू नहीं होगा जब ऐसी निम्न मानक सामग्री के प्रदाय के लिए विदेश से कोई आर्डर और मिले और जब वस्त्र समिति द्वारा इस निमित्त प्राधिकृत अधिकारी का ऐसे आर्डर के सद्भावी होने के बारे में समाधान हो जाए तथा ऐसी सामग्री का निर्यात उसके द्वारा प्राधिकृत किया जाए ।

2. यह अधिसूचना प्रथम जून, 1971 को प्रवृत्त होगी ।

[फा० सं० 5/18/70-वस्त्र-क]

New Delhi, the 24th May 1971

S.O. 2199.—In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following order further to amend the Cotton Textiles (Control) Order, 1948, namely:—

1. This Order may be called the Cotton Textiles (Control) Third Amendment Order, 1971.

2. In the Cotton Textiles (Control) Order, 1948, for clause 27, the following clause shall be substituted, namely:—

“27. Where in pursuance of paragraph (b) of sub-clause (1) of clause 22, markings are required to be made at one end of any piece of cloth and the piece of cloth is not sold as a whole, that portion of the piece containing the said markings shall not be cut or separated from the piece at any time till the portion other than the portion containing the said markings is sold”.

[No. F. 7/7/70-Tex-A.]

नई दिल्ली, 24 मई, 1971

का० आ० 2199.—आवश्यक वस्तु अधिनियम, 1955 (1955 का 10) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार सूती वस्त्र (नियंत्रण) आदेश, 1948 में और आगे संशोधन करने के लिए निम्नलिखित आदेश, एतद्वारा बनाती है, अर्थात्:—

1. यह आदेश सूती वस्त्र (नियंत्रण) तृतीय संशोधन आदेश, 1971 कहा जा सकेगा ।
2. सूती वस्त्र (नियंत्रण) आदेश, 1948 खण्ड 27 में निम्नलिखित खण्ड प्रतिस्थापित किया जाएगा, अर्थात्:—

“27. जहां खण्ड 22 के उपखण्ड (1) के पैरा (ख) के अनुसरण में कपड़े के किसी टुकड़े के एक सिरे पर चिह्न करना अपेक्षित है, और कपड़े का टुकड़ा पूरा का पूरा विक्रय न किया जाए वहां टुकड़े का वह भाग जिस पर उक्त चिह्न है, टुकड़े से किसी भी समय तब तक काटा या पृथक् नहीं किया जाएगा जब तक कि जिस भाग पर उक्त चिह्न है उस से भिन्न भाग बेच नहीं दिया जाता” ।

[सं एफ० 7/7/70-वस्त्र-ए]

New Delhi, the 28th May 1971

S.O. 2200.—Whereas the Textiles Committee has established standard type for the material defined under regulation (2) (A) of each of the regulations listed in the Appendix to this notification for the purposes of export.

And whereas on the recommendation made to it in this behalf by the Textiles Committee, the Central Government is of opinion that the material which does not conform to the standard type established by the Textiles Committee should not be exported.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Textiles Committee Act, 1963 (41 of 1963), the Central Government hereby prohibits the export from India to any foreign country of the material defined under regulation (2) (A) of each of the regulations listed in the said Appendix unless the material is covered by a certificate issued by the officer authorised by the Textiles Committee in this behalf under regulation (7) of the corresponding regulations:

Provided that with a view to avoid interruption of trade during a transitory period of six months from the date on which this notification comes into force, the officer authorised by the Textiles Committee in this behalf to issue a certificate under regulation (7) may permit any such material to be exported without any such certificate,—

- (i) if the material has been packed before the date on which this notification comes into force; or
- (ii) if the material is offered for inspection to the said Committee, but the Committee is unable to arrange for and complete such inspection within a period of one week from the date on which the material is offered for inspection.

2. This notification shall come into force on the 1st August, 1971.

APPENDIX

1. Aprons for Drafting Systems Inspection Regulations 1970.
2. Costs for Drafting System Inspection Regulations 1970.
3. Inserts for Spindles of Ring Spinning and Doubling Frames Inspection Regulations 1970.
4. Rings for Spinning & Doubling Frames Inspection Regulations 1970.
5. Spindles for ring spinning & doubling frames inspection regulations 1970.
6. Paper Tubes for ring spinning & doubling frames inspection regulations 1970.
7. Steel Travellers for ring spinning & doubling frames inspection regulations 1970.
8. Metallic card clothing wire for cylinder, doffer and lick-in inspection regulations.
9. Wooden flyer bobbins for speed frames inspection regulations 1970.
10. Direct & Rewound weft pirns for use in shuttles for looms inspection regulations 1970.
11. Picking Sticks for underpick looms & overpick looms Inspection Regulations 1970.
12. Wooden cones for winding machines inspection regulations 1970.
13. Shuttles for looms inspection regulations 1970.
14. Paper Cones/Cheeses for winding machines Inspection Regulations 1970.
15. Flat Steel Healds for looms inspection regulations 1970.
16. Twin wire healds/inset mall wire healds for looms inspection regulations 1970.
17. Pitch bound wire reeds/all metal reeds for looms inspection regulations 1970.
18. Pickers for looms Inspection Regulations 1970.

[No. 5/15/70-Tex-A.]

V. K. DIKSHIT, Dy. Secy.

नई दिल्ली, 28 मई 1971

का० प्रा० 2200—यतः वस्त्र समिति ने इस अधिसूचना के परिशिष्ट में सूचीबद्ध विनियमों में से प्रत्येक के विनियम (2) (क) में परिभाषित सामग्री के लिए निर्यात के प्रयोजनों के लिए मानक टाइप नियत किया है :

और यतः इस निमित्त वस्त्र समिति द्वारा केन्द्रीय सरकार की की गई सिफारिश पर, उसकी राय है कि ऐसी सामग्री का जो वस्त्र समिति द्वारा नियत मानक टाइप के अनुरूप नहीं है, निर्यात नहीं किया जाना चाहिए ।

अतः अब वस्त्र समिति अधिनियम 1963 (1963 का 41) की धारा 17 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उपर्युक्त परिशिष्ट में सूचीबद्ध विनियमों में से प्रत्येक के विनियम (2) (क) में परिभाषित सामग्री का भारत से बाहर किसी भी देश में निर्यात करने पर एनद्द्वारा प्रतिषेध लगाती है जब तक वह सामग्री तत्संबद्ध विनियमों के विनियम (7) के अधीन इस निमित्त वस्त्र समिति द्वारा प्राधिकृत अधिकारी द्वारा जारी किये गये प्रमाणपत्र के अन्तर्गत नहीं आती :

परन्तु, इस अधिसूचना के प्रवृत्त होने की तारीख से छह मास की अन्तःकालीन अवधि के दौरान व्यापार में बिहूत न पड़ने देने की दृष्टि से, वह अधिकारी जो वस्त्र समिति द्वारा इस निमित्त विनियम (7) के अधीन प्रमाणपत्र जारी करने के लिए प्राधिकृत है, बिना ऐसे प्रमाणपत्र के ही किसी भी ऐसी सामग्री का निर्यात करने की अनुज्ञा दे सकेगा —

- (1) यदि वह सामग्री इस अधिसूचना के प्रवृत्त होने की तारीख से पहले ही पैक की की जा चुकी हो : या
 - (2) यदि सामग्री उक्त समिति के निरीक्षण के लिए आफर की गई है, किन्तु समिति उस तारीख से, जब सामग्री निरीक्षण के लिए आफर की गई थी एक सप्ताह के भीतर ऐसे निरीक्षण की व्यवस्था करने और उसे पूरा करने में असमर्थ रही हो ।
2. यह अधिसूचना 1 अगस्त 1971 को प्रवृत्त होगी ।

परिशिष्ट

- 1 ब्रायडिंग पद्धतियों के लिए एप्रन निरीक्षण विनियम, 1970.
- 2 ब्रायडिंग पद्धतियों के लिए काट निरीक्षण विनियम, 1970.
- 3 रिंग स्पिनिंग तथा डबलिंग फ्रेम स्पिंडलों के इनसर्ट निरीक्षण विनियम, 1970.
- 4 स्पिनिंग तथा डबलिंग फ्रेमों के लिए रिंग निरीक्षण विनियम, 1970.
- 5 रिंग स्पिनिंग तथा डबलिंग फ्रेम हेतु स्पिंडल निरीक्षण विनियम, 1970.
- 6 रिंग स्पिनिंग तथा डबलिंग फ्रेमों के लिए पेपर ट्यूब निरीक्षण विनियम, 1970.
- 7 रिंग स्पिनिंग तथा डबलिंग फ्रेमों के लिए इस्पात ट्रेडरर्स निरीक्षण विनियम, 1970.
- 8 मिलिण्डर डाफर तथा लिकर-इन के लिए धातुमय कार्ड क्लोदिंग वायर निरीक्षण विनियम, 1970.
- 9 स्पीड फ्रेमों के लिए लकड़ी के फ्लायर बोर्ड निरीक्षण विनियम, 1970.
- 10 लूमों के शटल में उपयोग के लिए सीधे तथा पुनर्बलित बेफट पर्न निरीक्षण विनियम, 1970.

- 11 अण्डरपिक लूमों तथा ओवरपिक लूमों के लिए पिंकिंग स्टिक निरीक्षण विनियम, 1970
- 12 बाइंडिंग मशीन के लिए लकड़ी के शंक निरीक्षण विनियम, 1970.
- 13 लूमों के शटल निरीक्षण विनियम, 1970.
- 14 बाइंडिंग मशीन के पपर कोन/बीच निरीक्षण विनियम, 1970
- 15 लूमों के लिए इस्पात के चपटे हील्ड/इनसेट मेल वायर हील्ड निरीक्षण विनियम 1970.
- 16 लूमों के लिए ट्रिवन वायर हील्ड/इनसेट मेल वायर हील्ड निरीक्षण, विनियम, 1970.
- 17 लूमों के लिय पिक्वाउन्ड वायर रीड/सम्पूर्ण धातवीय रीड निरीक्षण विनियम, 1970.
- 18 लूमों के लिए पिकर्स निरीक्षण विनियम, 1970.

[सं० फा० 5/15/70-टैम० (ए)]

बी० के० दीक्षित, उप सचिव ।

New Delhi, the 24th May, 1971

S.O. 2201.—In exercise of the powers conferred by section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following amendments to the notification of the Government in the late Ministry of Commerce S.O. No. 195 dated 17th January 1966, as amended by notification No. S.O. 3284 dated the 12th September, 1968, namely:—

In column (3) of the Schedule, appearing below the said notification—

(i) Against Sl. No. 2, "Tamil Nadu" shall be substituted for "Madras";

(ii) Against Sl. No. 3, "Meghalaya" shall be added between "West Bengal" and "Manipur".

[No. 40(6)/Exp.Insp./68.]

नई दिल्ली, 24 मई, 1971

का० आ० 2201.—निर्यात (गुण नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा भारत सरकार के भूतपूर्व वाणिज्य मंत्रालय की अधिसूचना सं० का० आ० 195 दिनांक 17 जनवरी, 1966 में, जो अधिसूचना सं० का० आ० 3284 दिनांक 12 सितम्बर, 1968 द्वारा संशोधित की गई थी, निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना के नीचे दी गई अनुसूची के कालम 3 (में)—

(i) क्रम सं० 2 के सामने 'मद्रास' के स्थान पर "तमिल नाडु" प्रतिस्थापित किया जायेगा ;

(ii) क्रम सं० 3 के सामने, "पश्चिम बंगाल" तथा "मनीपुर" के बीच में "मेघालय" जोड़ा जायेगा ।

[सं० 40 (6)/एक्सो० इन्सो०/68]

S.O. 2202.—In pursuance of rule 6 of the Export of Fish and Fish Products (Inspection) Rules, 1964, the Central Government hereby directs that the following amendment shall be made to the notification of the Government of India in the late Ministry of Foreign Trade and Supply (Department of Foreign Trade) No. S.O. 3322 dated the 14th August, 1969, namely:—

In column (2) of the Table appearing below the said notification:

Under the heading "Calcutta Region (Covering the States of Assam, Bihar, Orissa, West Bengal and Nagaland and the Union Territories of Manipur and Tripura, the Andaman and Nicobar Islands and Part-B Tribal area in the State of Assam)", for item 4 the following item shall be substituted, namely:—

"4. The Director,
Central Inland Fisheries Research Institute,
Barrackpore, 24-Parganas.—*Ex-officio*".

[No. 6(2)/71-Exp.Insp.]

M. K. B. BHATNAGAR,
Deputy Director (Export Promotion).

का० आ० 2202—मछली और मछली उत्पाद निर्यात (निरीक्षण) नियम, 1964 के नियम 6 के अनुसरण में केन्द्रीय सरकार एतद्वारा निदेश देती है कि भारत सरकार के भूतपूर्व विदेश व्यापार और पुर्ति मंत्रालय (विदेश व्यापार विभाग) की अधिसूचना सं० का आ० 3322 तारीख 14 अगस्त, 1966 में निम्नलिखित संशोधन किया जाएगा, अर्थात् :

उक्त अधिसूचना के नीचे की सारणी के स्तम्भ (2) में :—

"कलकत्ता क्षेत्र (इसमें असम, बिहार, उड़ीसा, पश्चिम बंगाल तथा नागालण्ड के राज्य तथा मणिपुर और त्रिपुरा, अण्डमान और निकोबार द्वीप समूह के संघ राज्य क्षेत्र और असम राज्य में भाग ख—आदिम जाति क्षेत्र आते हैं) शीर्षक के नीचे मद 4 के स्थान पर निम्नलिखित मद प्रतिस्थापित की जायेगी, अर्थात् :—

"4. निदेशक,
केन्द्रीय आन्तरस्थलीय मात्स्यिकी गवेषणा संस्थान,
बैरकपुर; 25—पलगना ।

[सं० 6(2)/71-नि० नि०]

एम० के० बी० भटनागर,
उप-निदेशक, निर्यात संवर्धन ।

(Office of the Jt. Chief Controller of Imports and Exports)

ORDER

Madras, the 26th December 1970

SUB.—Cancellation of Exchange Control Copy of licence No. P/S/1640673 dated 5th June, 1970.

S.O. 2203.—M/s. Sankar Electricals Ltd., Madurai was issued a licence No. P/S/1640673 dated 5th June, 1970, for April-March, 1970, period for the import of Land in Wires Coiled Coils etc. for a value of Rs. 2,02,621. The firm have applied for a duplicate copy of the Exchange Control copy of the licence in question on the ground that the original has been misplaced by their Bankers. In support of this contention they have filed an affidavit.

I am satisfied that the original Exchange Control copy of the licence has been misplaced and duplicate of the same be issued to the firm.

The original Exchange Control Copy of the licence in question is hereby cancelled.

[No. Eghh/351/AM '70/SSI. 1.]

M. VIRARAGHAVNA.

Dy. Chief Controller of Imp. and Exports.

(संयुक्त-मुख्य निर्यातक, आयात-निर्यात का कार्यालय मद्रास)

आदेश

मद्रास, 26 दिसम्बर, 1970

विषय :—लाइसेंस सं० पी०/एस/ 1640673, दिनांक 5-6-70 की मुद्रा विनियम नियंत्रण प्रति को रद्द करने का आदेश।

एस० ओ० 2203 सर्वश्री शंकर इलेक्ट्रिकल्स लि० मद्रुरई को अप्रैल, मार्च, 1970 अवधि के लिए वायर कुवाल्ड कुवायल इत्यादि में लैण्ड के आयात के लिए 2,02,621 रुपये का आयात लाइसेंस सं० पी० ए० 1640673, दिनांक 5-6-70 प्रदान किया गया था। फर्म ने उक्त लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण प्रति के लिए इस आधार पर आवेदन किया है कि मूल प्रति उनके बैंकरो द्वारा अस्थानस्थ हो गई है। हम तक के मामले समर्थन में उन्होंने एक शपथ पत्र जमा किया है।

मैं इससे संतुष्ट हूँ कि मूल मुद्रा विनियम नियंत्रण प्रति अस्थानस्थ हो गई है और उसी की अनुलिपि प्रति फर्म को जारी की जाए।

उक्त लाइसेंस की मूल मुद्रा विनियम नियंत्रण प्रति एतद द्वारा रद्द की जाती है।

[तं. ई. जी. एच. एच./351/ए. एम.-70/एम. एस. आई.-1]

एम० वीरराघवन,
उप-मुख्य निर्यातक, आयात निर्यात

(Office of the Jt. Chief Controller of Imports and Exports)

(Central Licensing Area)

ORDER

New Delhi, the 30th December 1970

S.O. 2204.—M/s. Thermadyne Pvt. Ltd., 24th K. M. Mathura Road, Faridabad were granted import licence No. P/S/1620132/C/XX/36/D/29-30 dated 24th July, 1970 for (1) Kanthal Wire (Resistance Wire) and (2) Specialised requirements of Heating Elements other than Nichrome Heating (Tubular Type) upto 750 °C in Chrome Steel and Copper Tubing for Rs. 16,666. They have applied for issue of duplicate of the Exchange Control Copy thereof on the ground that it has been lost/misplaced without having been utilised at all.

2. The applicant have filed an affidavit in support of their contention as required under para 313(2) of I.T.C. Hand Book of Rules and Procedure, 1970. I am satisfied that original Exchange Control copy has been lost/misplaced.

3. In exercise of the powers conferred on me under Section 9(cc) Import (Control) Order, 1955, dated 7th December, 1955, I order the cancellation of Exchange Control Copy of Import Licence No. P/S/1620132 dated 24th July, 1970.

4. The applicant is now been issued a duplicate copy of the Exchange Control Copy of this licence in accordance with the provision of para 313(4) of I.T.C. Hand Book of Rules and Procedure, 1970.

[No. P-253(N)/AM-70/AU-HH/CLA/1890.]

A. L. BHALLA,

Dy. Chief Controller of Imports and Exports,
for Jt. Chief Controller of Imports and Exports

संयुक्त-मुख्य नियंत्रक, आयात-निर्यात का कार्यालय

(केन्द्रीय लाइसेंस क्षेत्र)

आदेश

नई दिल्ली, 30 दिसम्बर, 1970

एम० ओ० 2204.—सर्वश्री यमंडाइन प्रा० लि०, 24, के० एम० मथुरा रोड, फरीदाबाद को (1) कंधल तार (प्रतिरोधक तार) और क्रोम स्टील तथा कोपर ट्यूबिंग में 750 सी० तक नाइक्रोम हीटिंग (ट्यूबुलर टाइप) से भिन्न उष्मा उपघटकों की विशिष्टीकृत जरूरत की वस्तुओं के आयात के लिए 16,666 रुपये के लिए एक आयात लाइसेंस सं० पी०/एस/1620132/सी/एक्स एनस/36/डी 29-30, दिनांक 24-7-70 जारी किया गया था। उन्होंने उसकी मुद्रा विनिमय नियंत्रण प्रति की अनुलिपि के लिए इस आधार पर आवेदन किया है कि मूल प्रति का कुछ भी उपयोग नहीं किया गया था कि वह खो गई/अस्थानस्थ हो गई है।

2. अपने तर्क की पुष्टि में आवेदकों ने, आयात व्यापार नियंत्रण नियम तथा क्रिया विधि पुस्तक, 1970 की कंडिका 313(2) में यथा अपेक्षित एक अपथ-पत्र दाखिल किया है। मूल-मुद्रा विनिमय नियंत्रण प्रति खो गई है/अस्थानस्थ हो गई है।

3. आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की धारा 9 (सीसी) में प्रदत्त अधिकारों का प्रयोग करते हुए मैं लाइसेंस सं० पी०/एस/1620132, दिनांक 24-7-70 की मैं संतुष्ट हूँ कि मुद्रा नियंत्रण प्रति को रद्द करने का आदेश देता हूँ।

4. अब आवेदक को आयात व्यापार नियंत्रण नियम तथा क्रिया विधि पुस्तक, 1970 की कंडिका 313 (4) की शर्त के अनुसार इस लाइसेंस की मुद्रा-विनिमय नियंत्रण प्रति की अनुलिपि जारी की गई है।

[संख्या पी०-253 (एन०) ए० एम०-70/ए० यू० एच० एच०/सी० एल० ए०]

ए० एल० भल्ला,

उप-मुख्य नियंत्रक, आयात-निर्यात,
कृते संयुक्त मुख्य नियंत्रक, आयात-निर्यात।

(Office of the Jt. Chief Controller of Imports and Exports)

ORDER

Calcutta, the 1st March 1971

SUBJECT.—Order cancelling the Custom purposes copy of Licence No. P/E/0145109/C/XX/28/C/27-28 dated 23rd July, 1968 in connection with the issue of duplicate copy of the same.

S.O. 2205.—Heatly and Gresham Ltd., 31, Chittaranjan Avenue, Calcutta were granted the import licence No. P/E/0145109/C/XX/28CC/27-28 for Rs. 4889. They

have now applied for duplicate custom copy of the above licence on the ground that the original custom copy of the licence lost partly utilised to the extent of Rs. 889 only.

In support of the same, the applicant has filed an affidavit to the effect that the original customs copy of the above licence has been lost. I am satisfied that the original custom copy of the licence has been lost and I have directed that a duplicate custom copy of the said licence should be issued to the applicant.

The original custom copy of the licence is cancelled.

[No. 4/71/EI-II.]

संयुक्त मुख्य निर्यातक, आयात-निर्यात का कार्यालय

आदेश

कलकत्ता, 1 मार्च, 1971

विषय : लाइसेंस संख्या पी०/ई०/0145103/सी/एक्स/एक्स/28/सी/27-28, दिनांक 23-7-68 की सीमा शुल्क-कार्य सम्बन्धी प्रति को रद्द करने तथा उसी को अनुलिपि प्रति जारी करने के सम्बन्ध में आदेश ।

एस०ओ० 2205.—सर्वश्री हीटले एंड ग्रेशम लि०, 31, चित्तरंजन एवेन्यू, कलकत्ता को 4,889/- रुपये के लिए आयात लाइसेंस संख्या पी० (ई०/0145109/सी/एक्स/एक्स/28/सी/27-28) स्वीकृत किया गया था। उन्होंने अब उपर्युक्त लाइसेंस की अनुलिपि सीमा-शुल्क कार्य सम्बन्धी प्रति के लिए इस आधार पर आवेदन किया है कि लाइसेंस की मूल सीमा-शुल्क कार्य सम्बन्धी प्रति का आंशिक रूप से 889/- रुपये मात्र तक का प्रयोग करने के पश्चात् खो गई है।

इस तर्क के समर्थन में यह बताते हुए कि उपर्युक्त लाइसेंस की मूल सीमा-शुल्क कार्य सम्बन्धी प्रति खो गई है, आवेदक ने एक शपथ-पत्र जमा किया है। मैं इससे संतुष्ट हूँ कि लाइसेंस की मूल सीमा-शुल्क कार्य सम्बन्धी प्रति खो गई है और यह निदेश दिया है कि आवेदक को उक्त लाइसेंस की अनुलिपि सीमा-शुल्क कार्य सम्बन्धी प्रति जारी की जानी चाहिए।

लाइसेंस की मूल सीमा-शुल्क कार्य सम्बन्धी प्रति रद्द की जाती है।

[संख्या 4/71/ईआई-2]

Calcutta, the 18th March 1971

SUBJECT.—Order cancelling the Customs Purpose copy of licence No. P/E/0167505/C/XX/29/C/dated 13th November, 1968.

S.O. 2206.—M/s. Ghosh and Mitter, 33 Canning St. Calcutta-1 were granted an import licence No. P/E/0167505/C/XX/29/C/27-28 dated 13th November, 1968 for Rs. 1,000 only.

They have now applied for duplicate customs copy of the said licence on the ground that the original customs purposes copy of the above licence has been lost fully unutilised.

In support of the same the applicant has filed an Affidavit to the effect that the original Customs Purposes copy of the above mentioned licence have been lost I am satisfied that original Customs Purposes copy of the licence has been lost, and I have directed that duplicate customs purposes copy of the said licence in question should be issued to the applicant.

The original customs purposes copy of the above licence is cancelled.

[No. 5/71-EI.II.]

M. S. PURI,

Dy. Chief Controller of Imports and Exports
for Jt. Chief Controller of Import and Exports.

कलकत्ता, 18 मार्च 1971

विषय :— लाइसेंस संख्या : पी/ई/0167505/सी/एक्स एक्स/29/सी/दिनांक
13-11-68 की सीमा-शुल्क कार्य सम्बन्धी प्रति को रद्द करने का आदेश

एस० ओ० 2206.—सर्वश्री घोष एंड मिस्तर, 33, केनिंग स्ट्रीट, कलकत्ता-1, को 1000/- रुपये मात्र के लिए लाइसेंस संख्या पी/ई/0167505/सी/एक्स एक्स 29/सी/27-28, दिनांक 13-11-68 प्रदान किया गया था ।

उन्होंने उक्त लाइसेंस की अनुलिपि सीमा-शुल्क कार्य सम्बन्धी प्रति के लिए इस आधार पर आवेदन किया है कि मूल सीमा-शुल्क कार्य सम्बन्धी प्रति बिना प्रयोग किए ही खो गई है ।

अपने तर्क के समर्थन में आवेदक ने एक शपथ पत्र यह बताते हुए जमा किया है कि उपर्युक्त लाइसेंस की मूल सीमा-शुल्क कार्य सम्बन्धी प्रति खो गई है, और मैंने निदेश दिया है कि आवेदक को विषयाधीन लाइसेंस की अनुलिपि सीमा-शुल्क कार्य सम्बन्धी प्रति जारी की जानी चाहिए ।

उपर्युक्त लाइसेंस की मूल सीमा-शुल्क कार्य सम्बन्धी प्रति रद्द की जाती है ।

[संख्या 5/71/ई आई-2]

एम० एस० पुरी,

उप-मुख्य नियंत्रक, आयात-निर्यात,
कृते संयुक्त मुख्य नियंत्रक, आयात-निर्यात ।

(Office of the Dy. Chief Controller of Imports and Exports).
ORDER

Bombay, the 2nd April 1971

SUBJECT.—Cancellation of Licence No. P/U/2606477 dated 21st February, 1970 (Exchange Control Copy) issued in favour of M/s. Shri Shakti Printing and Dyeing Works, Bombay. 1.

S.O. 2207.—M/s. Shri Shakti Printing and Dyeing Works, Nagindas Chambers, 2nd floor 167, Frere Road, Bombay. 1 have been granted licence No. P/U/2606477 dated 21st February, 1970, for Rs. 25312 (Rupees Twenty Five Thousand Three Hundred and Twelve only) for Import of Dyes and Chemicals.

They have applied for duplicate copy of exchange control purposes of the said licence on the ground that the original exchange control copy of licence has been misplaced.

It is further stated that the exchange control copy of licence affords the balance to the extent of Rs. 5,668 (after having utilised).

In support of their claim applicant have filed an affidavit.

I am satisfied that the Exchange Control copy of licence No. P/U/260477 dated 21st February, 1970, has been lost and direct that the duplicate copy of licence should be issued to the applicant firm.

The original Exchange Control Copy of Licence is cancelled.

[No. 38/208960/OD. 69/EPSC. IAO.]

D. D'SOUZA,
Dy. Chief Controller of Imports and Exports,
for Jt. Chief Controller of Imports and Exports.

मुख्य निर्यातक, आयात-निर्यात का कार्यालय

आदेश

मुम्बई, 2 अप्रैल 1971

विषय :—सर्वश्री शक्ति प्रिंटिंग एण्ड डाईंग वर्क्स, बम्बई-1 को जारी किए गए लाइसेंस सं० 2606477 दिनांक 21-2-1970 (चलन नियंत्रक प्रति) को रद्द करना

एस० ओ० 2207.—सर्वश्री शक्ति प्रिंटिंग एण्ड डाईंग वर्क्स, नगीनदास चेंबर्स, 167, फिफ्थ रोड, बम्बई-1 को रंजक और रसायनों के आयात के लिए 25312 रुपये (पचीस हजार तीन सौ बारह रुपये) के लिए एक लाइसेंस सं० 2606477 दिनांक 21-2-1970 मात्र प्रदान किया गया था।

उन्होंने उक्त लाइसेंस की चलन नियंत्रक प्रति की अनुलिपि के लिए इस आधार पर आवेदन किया है कि मूल लाइसेंस खो गया है।

आगे यह सूचना दी गई है कि मूल लाइसेंस चलन नियंत्रक कार्यालय से पंजीकृत नहीं किया गया है और उसका उपयोग नहीं हुआ है।

अपने दावे के समर्थन में आवेदक ने एक शपथ पत्र जमा किया है।

मैं संतुष्ट हूँ कि लाइसेंस सं० 2606477, दिनांक 21-2-1970 की मूल चलन नियंत्रक प्रति खो गई है और निदेश देता हूँ कि आवेदक फर्म को लाइसेंस की अनुलिपि जारी की जानी चाहिए।

मूल चलन नियंत्रक प्रति रद्द की जाती है।

[सं० मि० 38/208960/ओ डी० 69/एल/अपीएस सी ओ]

श्री डी० डी० डीसूजा,

उप-मुख्य निर्यातक, आयात निर्यात।

कृते संयुक्त मुख्य निर्यातक, आयात निर्यात।

(Office of the Dy. Chief Controller of Imports and Exports)

ORDER

New Delhi, the 3rd April 1971

SUBJECT.—Order for cancellation of Custom Purpose and Exchange Control copy of licence No. P/E/O/84674 dated 18th December, 1970, issued in favour of M/s. Gopaldas Wadhmal and Sons, 1-Prabhat, 28-B Road, Bombay-1.

S.O. 2208.—M/s. Gopaldas Wadhmal and Sons, 1-Prabhat, 28-B Road, Bombay-1 was granted an import licence No. P/E/0184674 dated 18th December, 1970, for Rs. 729 for the import of M. V. Parts for the licensing period AM. 66 from General Area. They have applied for duplicate copy of the Custom purpose as well as the Exchange control copy of the above mentioned licence on the ground that the original licence in duplicate have been lost or-misplaced. It is further stated that the original licence has not been registered with any Customs authorities nor the same has been utilised.

In support of their contention, the applicant has filed an affidavit on stamped paper duly attested before the Presidency Magistrate, Greater Bombay. I am satisfied that both Customs Purpose and Exchange control copy of the original licence No. P/E/0184674 dated 18th December, 1970, for Rs. 729 has been lost or misplaced and direct that duplicate copy of both Custom purpose and Exchange control copy of the aforesaid licence should be issued to the applicant. The original licence No. P/E/0184674 dated 18th December, 1970, is hereby cancelled.

[No. Misc/AM. 69/EI III.]

R. D. MANGAT,

Dy Chief Controller of Imports and Exports,
for Jt. Chief Controller of Imports and Exports.

संयुक्त-मुख्य नियंत्रक, आयात-निर्यात का कार्यालय, बम्बई ।

रद्द आदेश

बम्बई 3 अप्रैल, 1971

विषय :—सर्वश्री गोपालदास बाधुमल एण्ड सन्स, 1—प्रभात, 28—बी रोड, बम्बई-1, को जारी किए गए लाइसेंस सं० पी०/ई०/ 0184674 दिनांक 18-12-70 की सीमा शुल्क प्रति और मुद्रा विनिमय नियंत्रण प्रति को रद्द करने का आदेश ।

एस० ओ० 2208.—सर्वश्री गोपालदास बाधुमल एण्ड सन्स, 1—प्रभात, 28—बी रोड, बम्बई-1, को लाइसेंस अवधि अप्रैल-मार्च, 66 के लिए सामान्य मुद्रा क्षेत्र से 729 रुपये मूल्य के मोटर विहिकल पुर्जों के आयात के लिए एक आयात लाइसेंस संख्या पी/ ई/ 0184674 दिनांक 18-12-70 प्रदान किया गया था । उन्होंने उपर्युक्त लाइसेंस की सीमा शुल्क सम्बन्धी प्रति तथा मुद्रा विनिमय नियंत्रण प्रति की अनुलिपि के लिए इस आधार पर आवेदन किया है कि मूल लाइसेंस की दोनों प्रतियां खो गई हैं या अस्थानस्थ हो गई हैं । आगे यह उल्लेख किया गया कि मूल लाइसेंस किसी भी सीमाशुल्क प्राधिकारियों से पंजीकृत नहीं कराया गया है और न ही उसका उपयोग किया गया है ।

अपने तक के समर्थन में आवेदक ने स्टाम्प कागज पर प्रेजीडेन्सी मजिस्ट्रेट, ग्रेटर बम्बई के सामने विधिवत् साध्यांकित एक शपथ-पत्र दाखिल किया है । मैं संतुष्ट हूं कि 729 रुपये मूल्य के लाइसेंस सं० पी/ ई/ 0184674 दिनांक 18-12-70 की सीमाशुल्क सम्बन्धी प्रति तथा मुद्रा विनिमय नियंत्रण प्रति दोनों खो गई हैं या अस्थानस्थ हो गई हैं और निदेश देता हूं कि पूर्वोक्त लाइसेंस की सीमाशुल्क सम्बन्धी तथा मुद्रा विनिमय नियंत्रण दोनों प्रतियां आवेदक को जारी की जानी चाहिए । मूल लाइसेंस सं० पी/ ई/ 0184674 दिनांक 18-12-70 एतद् द्वारा रद्द किया जाता है ।

[सं० एम 69/ई० आई० III]

आर० डी० मंगत,

उप-मुख्य नियंत्रक, आयात-निर्यात
कृते मुख्य संयुक्त नियंत्रक, आयात-निर्यात ।

(Office of the Dy. Chief Controller of Imports and Exports)

ORDER

New Delhi, the 21st May 1971

S.O. 2209.—M/s. Electric Control Gear Private Ltd., Behind Arbuda Mills Ltd., Rakhial Road, Ahmedabad-21, were granted licence No. P/D/2175394/S/NE/37/H/31 dated 19th October, 1970 for Rs. 50,000 for the import of raw materials & Components as per list attached to it from Netherlands. They have requested for issue of duplicate Customs Purposes Copy of the licence on the ground that the original Customs Purposes Copy has been lost by them. It has further been reported by the licensee that the Custom Purpose Copy has been lost without having been registered with any Customs authority and that the same has not been utilised at all.

In response of their contention the applicant have filed an Affidavit. The undersigned is satisfied that the original Customs Purposes Copy of Licence No. P/D/2175394/S/NE/37/H/31 dated 19th October, 1970 has been lost and directs that a duplicate Customs Copy of the said licence should be issued to them. The original Customs Purpose Copy is cancelled (A duplicate Customs Purpose Copy of the import licence is being issued separately).

[No. SWG/14(1)/70-71/RM.6]

मुख्य निर्यात, आयात-निर्यात का कार्यालय

आदेश

नई दिल्ली 21 मई, 1971

एस० प्रो० 2209.—सर्वश्री इलेक्ट्रिक कंट्रोल गियर, प्रा० लि०, बिहाइन्ड अरबूदा मिल्स लि०, राखियाल रोड, अहमदाबाद-21 को निदरलैंड से लाइसेंस से संलग्न सूची के अनुसार कच्चे माल और मध्यकों के आयात के लिए 50,000 रुपये के लिये एक लाइसेंस सं० पी०/डी० 2175394/एस/एन/ई/37/एच/31, दिनांक 19-10-70 प्रदान किया गया था। उन्होंने लाइसेंस की सीमा शुल्क प्रति की अनुलिपि जारी करने के लिये इस आधार पर आवेदन किया है कि मूल सीमा शुल्क प्रति उनसे खो गई है। लाइसेंसधारी द्वारा आगे यह सूचना दी गई है कि सीमा शुल्क प्रति किसी भी सीमा शुल्क प्राधिकारी से पंजीकृत कराए बिना ही खो गई है और उसका उपयोग बिल्कुल नहीं हुआ है।

अपने तर्कों के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि लाइसेंस संख्या पी/डी/2175394/एस/एन/ई/37/एच/31, दिनांक 19-10-70 की मूल सीमा शुल्क प्रति खो गई है और निदेश देता है कि उक्त लाइसेंस की सीमा शुल्क प्रति की अनुलिपि आवेदकों को जारी की जानी चाहिए। मूल सीमा शुल्क प्रति रद्द की जाती है (आयात लाइसेंस की सीमा शुल्क प्रति की अनुलिपि अलग से जारी की जा रही है)।

[संख्या: एस डब्ल्यू जी/14(1)/70-71आर एम-6]

सरदूल सिंह

उप-मुख्य नियंत्रक, आयात-निर्यात,
कृत मुख्य नियंत्रक, आयात निर्यात।

New Delhi, the 26th May 1971

S.O. 2210.—M/s. The Newspapers Limited, Leader Building, 3, Leader Road, Allahabad were granted an import licence No. P/A/1337511/C/XX/38/H/31.32 dated 4th January, 1971, for Rs. 39,942 (Rupees Thirty nine thousand nine hundred and forty two only). They have applied for the issued of a duplicate Exchange Control Purposes copy of the said licence on the ground that the original Exchange Control Purposes copy has been lost/misplaced. It is further stated that the original Exchange Control Purposes copy was registered with the authorities at United Commercial Bank Limited, Allahabad unutilised. It was utilised for—and the balance available on it was Rs. 39,942.

2. In support of this contention the applicant has filed an affidavit along with a certificate from Commissioner for Oath, District Court, Allahabad. I am accordingly satisfied that the original Exchange Control Purposes copy of the said licence has been lost. Therefore in exercise of the powers conferred under Sub-Clause 9 (cc) of the Import (Control) Order, 1955 dated 7th December, 1955 as

amended the said original Exchange Control Purposes copy of licence No. P/A/1337511/C/XX/ 38/ H/31.32 dated 4th January, 1971, issued to M/S. The News-papers Ltd., Allahabad is hereby cancelled.

3. A duplicate Exchange Control Purpose copy of the said licence is being issued separately to the licensee.

[No. 115-V/N-4/70-71/NPCIA.]

नई दिल्ली, 26 मई, 1971

एस० ओ० 2210--सर्वश्री दी न्यूजपेपर्स लिमिटेड, 3, लीडर रोड, इलाहाबाद को 39,942 रुपये (उत्तालीस हजार नौ सौ ब्यालीस रुपये मात्र) के लिए एक आयात लाइसेंस संख्या पी/ए/1337511 दिनांक 4-1-1971 प्रदान किया गया था। उन्होंने लाइसेंस की अनुलिपि जारी करने के लिए इस आधार पर आवदन किया है कि मूल मुद्रा-विनिमय नियंत्रण प्रति खो गई है। इसका बिल्कुल उपयोग नहीं हुआ था और इस पर शेष उपलब्ध धन राशि 39,942 रुपये थी।

2. इस तर्क के समर्थन में आवेदक ने शपथ-प्रायुक्त (कमिश्नर फार ओथ), डिस्ट्रिक्ट कोर्ट, इलाहाबाद, द्वारा विधिवत् साक्ष्यांकित एक शपथ पत्र दाखिल किया है। तदनुसार मैं संतुष्ट हूँ कि उक्त लाइसेंस की मूल मुद्रा-विनिमय नियंत्रण प्रति खोई गई है। इसलिए, यथा संशोधित आयात-नियंत्रण आदेश, 1955, दिनांक 7-12-55 की उपधारा 9 (सी सी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए सर्वश्री दी न्यूजपेपर्स लिमिटेड, 3 लीडर रोड, इलाहाबाद को जारी किए गए लाइसेंस सं० पी/ए/1337511 दिनांक 4-1-1971 की उक्त मूल मुद्रा-विनिमय नियंत्रण प्रति को एतद् द्वारा रद्द किया जाता है।

3. लाइसेंस धारी को उक्त लाइसेंस की मुद्रा-विनिमय नियंत्रण प्रति की अनुलिपि अलग से जारी की जा रही है।

[संख्या 115--पांच/एन०-4/70-71 न्यूजप्रिंट सेल 1(ए)]

New Delhi, the 27th May 1971

S.O. 2211--Mrs. Madras Sheet Glass Workers (Private) Limited, Madras were granted 2 licences viz Nos. (i) P/D/2180011 dated 6th June 1970 valued at Rs. 82,500 for the import of Raw Materials from U.S.A. and (ii) P/D/2176677 dated 14th December 1970 valued at Rs. 17,500 for the import of spare parts from U.K. They have requested for the issue of duplicate copies of Exchange Control copies of these licences on the ground that the original Exchange Control copies of the licences have been lost/misplaced. It has been further reported that these licences (Exchange Control copies) were lost/misplaced after utilising Rupees Nil and that these licences have not been registered with any of the Collector of Customs.

2. In support of their contention, the applicant has filed an affidavit. The undersigned is satisfied that the original licences (Exchange Copies) (i) P/D/2180011 dated 6th June 1970 and (ii) P/D/2176677 dated 14th December 1970 have been lost/misplaced and directs that duplicate Exchange Control copies of the said licences should be issued to them. The original licences (Exchange Control copies) are cancelled.

[No. Glass-32(1)/A.M.70/R.M.3./344.]

SARDUL SINGH,

Dy. Chief Controller of Imports & Exports.

नई दिल्ली, 27 मई, 1971

एस० ओ० 2211.--सर्वश्री मद्रास स्टील वर्क्स (प्रा०) लि०, मद्रास को दो लाइसेंस अर्थात् (1) यू० एस० ए० से कच्चे माल के आयात के लिए 82,500 रुपये का आयात लाइसेंस सं० पी०/डी०/2180011 दिनांक 6-6-70 तथा (2) यू० के० से फालतू पुर्जों के आयात के लिए

17,500 रुपये का आयात लाइसेंस सं० पी०/डी०/2176677 दिनांक 14-12-70 स्वीकृत किए गए थे। उन्होंने उक्त लाइसेंसों की अनुलिपि मुद्रा विनियम नियंत्रण प्रतियों के लिए इस आधार पर आवेदन किया है कि लाइसेंसों की मूल मुद्रा विनियम नियंत्रण प्रतियां खो गई हैं। अस्थानस्थ हो गई हैं। आगे यह बताया गया है कि ये लाइसेंस (मुद्रा विनियम नियंत्रण प्रतियां) बिना किसी सीमा-शुल्क समाहर्ता के पास पंजीकृत कराए और बिना उपयोग किए ही खो गए थे। अस्थानस्थ हो गए थे।

अपने तर्क के समर्थन में आवेदक ने एक शपथ-पत्र जमा किया है। अधोहस्ताक्षरी इससे संतुष्ट है कि (1) लाइसेंस सं० पी०/डी०/2180011, दिनांक 6-6-70 तथा (2) पी०/डी०/2176677 दिनांक 14-12-1970 की मूल मुद्रा विनियम नियंत्रण प्रतियां खो गई हैं। अस्थानस्थ हो गई हैं और निदेश देता हूँ कि उन्हें उक्त लाइसेंसों की अनुलिपि मुद्रा विनियम नियंत्रण प्रतियां जारी की जानी चाहिए। मूल लाइसेंस (मुद्रा विनियम नियंत्रण प्रतियां) रद्द किया जाता है।

[संख्या ग्लास—32 (1)/ए०एम० 70/आर एम 3/344]

सरदूल सिंह,

उप मुख्य नियंत्रक, आयात-निर्यात।

MINISTRY OF EDUCATION AND YOUTH SERVICES

New Delhi, the 26th May 1971

S.O. 2212.—In pursuance of section 36 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby makes the following correction in the description of the ancient monument referred to at item 99 under the heading "Mysore State" in Part I of the Schedule to the Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Act, 1951 (71 of 1951) and deemed to be an ancient monument declared to be of national importance for the purposes of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958) under Section 3 of that Act, namely:—

The entry:

99.	Shahji's tomb	..	..	Hodigere
Shall be corrected as follows, namely:—				
99.	Samadhi of Shahji Blonsale together with adjacent land comprised in survey plot No. 219/1A measuring 0.50 acre bounded on the : North— Survey plot No. 219/1 East— Survey plot No: 219/1 South— Gramatana West— Survey plot No. 219/1 Owned by Government.	..		Hodigere in tehsil channagiri of shimoga distt., Mysore.

A. S. Talwar

Under Secretary to the Govt. of India

[No. F. 5/209/70-CI(D.)]

A. S. TALWAR, Under Secy.

शिक्षा मंत्रालय

नई दिल्ली, 26 मई, 1971

एस० ओ० 2212.—प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम 1958 (1958 का 24) की धारा 36 के अनुसरण में केन्द्रीय सरकार प्राचीन तथा ऐतिहासिक संस्मारक और पुरातत्वीय स्थल और अवशेष (राष्ट्रीय महत्व की घोषणा) अधिनियम 1951 (1951 का

17) की अनुसूची के भाग 1 में "मैसूर राज्य" शीर्षक के नीचे मद 99 पर निर्दिष्ट और उस अधिनियम की धारा 3 के अधीन प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम 1958 (1958 का 24) के प्रयोजनों के लिये राष्ट्रीय महत्व के घोषित समझे गये प्राचीन संस्मारक के विवरण में एतद्द्वारा निम्नलिखित शुद्धि करती है; अर्थात् :—

99 शाह जी की समाधि प्रविष्टि निम्नलिखित रूप में शुद्ध की जाएगी अर्थात् :—

99 शाह जी भोंसाले की समाधि

जिला शिमोगा मैसूर की
चन्नागिरि तहसील में होदि-
गिर ।

0. 50 एकड़ के माप वाले सर्वेक्षण प्लॉट सं० 219/1क में समाविष्ट
समीपवर्ती भूमि सहित निम्न रूपेण प्रदर्शित की गई है ।

उत्तरी—सर्वेक्षण प्लॉट सं० 219/1

पूर्वी —सर्वेक्षण प्लॉट सं० 219/1

दक्षिणी—ग्रामतन

पश्चिम—सर्वेक्षण प्लॉट सं० 219/1 जो सरकार के स्वामित्व में है ।

[सं० एफ० 5/209/70-सी आई (I)]

ए० एस० तलवार, अवसर सचिव ।

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 27th May 1971

S.O. 2213.—In exercise of the powers conferred by sub-rule (1) of rule 9 of the Shipping Development Fund Committee (General) Rules, 1960, the Central Government hereby appoints Shri U. S. Shrivastav, IAS, as Secretary of the Shipping Development Fund Committee, with effect from the 23rd March, 1971, vice Shri J. C. Jelli.

[No. 35-MD(37)/70.]

M. K. RAMASWAMY, Under Secy.

नौवहन और परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली 27 मई 1971

एस० ओ० 2213.—नौवहन विकास निधि समिति (साधारण) नियम, 1960 के नियम 9 के उपनियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा श्री यू० एस० श्री वास्तव आई० ए० एस० को श्री जे० सी० जैतनी के स्थान पर 23 मार्च, 1971 से नौवहन विकास निधि समिति के सचिव के रूप में नियुक्त करती है ।

[सं० 35-एमडो (37)/70]

एम० के० रामस्वामी, अवसर सचिव ।

ISPAT AUR KHAN MANTRALAYA

(Khan Vibhag)

New Delhi, the 21st May 1971

S.O. 2214.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel and Mines (Department of Mines & metals) No. S.O. 2565, dated the 9th August, 1965 under section. 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired,—

- (i) land measuring 235.00 crores in village Manidi, Garbhudih, Bardubhi Baludih, Dubrajpur and Jatudih; and
- (ii) the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the land measuring 40.00 acres in villages Garbhudih, Baludih, Dubrajpur, Bardubhi and Jatudih, in the District Dhanbad;

And whereas S/Shri Srava Nand Singh, Chhathu Singh, Bharat Singh, Jhalu Singh, Allu Singh, Mohan Singh, Haldar Singh for an area of 5.87 acres of land and Chhatu Singh, Kunj Bihari Singh, Kesha Singh, and Santu Singh for an area of 2.19 acres of land were found persons interested under section 13 of the said Act and in accordance with the authentication made by the State Government authorities the compensation for an area of 8.06 acres out of the said acquisition was assessed in their favour;

And whereas the amount of compensation payable for the said acquisition could not be fixed by agreement there being a dispute as to the sufficiency of amount of compensation offered and the amount so offered has been accepted by the persons interested under protest;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, (20 of 1957), the Central Government hereby constitutes a Tribunal consisting of Shri Rabneshwar Prasad Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the persons interested.

[No. C3-5(9)/70.]

इस्पात और खान मंत्रालय

(खान विभाग)

नई दिल्ली, 21 मई, 1971

का० आ० 2214—यतः क्रोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 के अधीन भारत सरकार के भूतपूर्व इस्पात और खान मंत्रालय (खान और धातु विभाग) की अधिसूचना संख्या का० आ० 2565 तारीख 9 अगस्त, 1965 के अनुसारण में केन्द्रीय सरकार ने निम्नलिखित का अर्जन किया है :—

- (i) मनीदी, गरबुडीह, बारदुभी, बालुडीह, डुबराजपुर और जातुडीह ग्रामों में 235.00 एकड़ माप की भूमि; और
- (ii) धनबाद जिले में गरबुडीह, बालुडीह, डुबराजपुर, बारदुभी और जातुडीह ग्रामों में 40.00 एकड़ माप की भूमि में, खनिजों के खनन, खदान क्रिया, बोर करने, खोदने के लिए और उन की तलाश करने उन्हें प्राप्त करने, कार्य करने और ले जाने के अधिकार ;

और यतः राज्य सरकार अधिकारियों के अधिप्रमाणन के अनुसार उक्त अधिनियम की धारा 13 के अधीन सर्वश्री सर्वानन्द सिंह, छथन सिंह, भरत सिंह, झालु सिंह, आलम सिंह, मोहन सिंह, हल्दर सिंह, 5.87 एकड़ भूमि के लिए हितबद्ध व्यक्तियों के रूप में पाए गए थे

11 र छाड़ुसिंह, कुंज बिहारी सिंह, केशव सिंह और शान्तु सिंह 2.19 एकड़ भूमि के लिए हित-बद्ध व्यक्तियों के ह्वा में पाए गए थे और तदनुसार उक्त अर्जन में से 8.06 एकड़ क्षेत्र के लिए उनके पक्ष में प्रतिकर निर्धारित किया गया था ;

और यतः प्रस्थापित प्रतिकर की राशि की पर्याप्तता के बारे में विवाद होने से उक्त अर्जन के लिए संदेय प्रतिकर की राशि करार द्वारा नियत नहीं की जा सकी ; और इस प्रकार प्रस्थापित राशि हितबद्ध व्यक्तियों द्वारा सविरोध ही स्वीकार की गई है ;

अतः, अब कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 14 की उपधारा (2) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार हितबद्ध व्यक्तियों को संदेय प्रतिकर की राशि की अवधारित करने के प्रयोजन के लिए एतद्वारा एक अधिकरण की गठित करती है जिसमें श्री खनेश्वर प्रसाद सिन्हा, इधर न्यायिक आयुक्त, रांची होंगे।

[सं० फा० को० 3-5(9)/70]

S.O. 2215.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel and Mines (Department of Mines and Metals), No. S.O. 2565, dated the 9th August, 1965 under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired,—

- (i) land measuring 235.00 acres in village Manidi, Garbhudih, Bardubhi Baludih, Dubrajpur and Jatudih; and
- (ii) the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 40.00 acres in villages Garbhudih, Baludih, Dubrajpur Bardubhi and Jatudih, in the District Dhanbad.

And whereas S/Shri Ramanand Mosif, Govind Mosif, Shibial Mosif, were found as persons interested for 0.32 acres of lands and Chhigu Sain, Khudu Sain, Narayan Prasad Singh and Most. Goribaia Debi were found as persons interested for compensation for 1.86 acres of lands under section 13 of the said Act in accordance with the authentication made by the State Government authorities and accordingly compensation for an area of 0.32 acre and 1.86 acres respectively out of the said acquisition were assessed in their favour;

And whereas the amount of compensation payable for the said acquisition could not be fixed by a agreement there being a dispute as to the sufficiency of amount of compensation offered and the amount so offered has been accepted by the persons interested under protest;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby constitutes a Tribunal consisting of Shri Rabneshwar Prasad Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the persons interested.

[No. C3-5(9)/70.]

का० आ० 2215.—यतः कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 के अधीन भारत सरकार के भूतपूर्व इस्पात और खान मंत्रालय (खान और धातु विभाग) की अधिसूचना संख्या का० आ० 2565 तारीख 9 अगस्त 1965 के अनुसरण में केन्द्रीय सरकार ने निम्नलिखित का अर्जन किया है :—

- (i) मनीदी, गरबुडीह, बारदुभी, बालुडीह, डुबराजपुर और जातुडीह ग्रामों में 235.00 एकड़ माप की भूमि; और
- (ii) धनबाद जिले में गरबुडीह, बालुडीह, डुबराजपुर, बारदुभी और जातुडीह ग्रामों में 40.00 एकड़ माप की भूमि में, खनिजों के खनन, खदान क्रिया बोर करने, खोदने के लिए और उन की तलाश करने, उन्हें प्राप्त करने, कार्य करने और ले जाने के अधिकार;

और यतः राज्य सरकार प्राधिकारियों द्वारा किए गए अधिप्रमाणन के अनुसार उक्त अधिनियम की धारा 13 के अधीन सर्वश्री रामानन्द मोसिफ, गोबद मोसिफ, शिबलाल मोसिफ 0.32 एकड़ भूमि के लिए हितबद्ध व्यक्तियों के रूप में पाए गए थे और ठिगु सैन, खुडु सैन, नारायण प्रसाद सिंह एवं मुस्मन्न गोरीबाला देवी 1.86 एकड़ भूमि के लिए प्रतिकर के लिए हितबद्ध व्यक्तियों के रूप में पाए गए थे और तदनुसार उक्त अर्जन में से क्रमशः 0.32 एकड़ एवं 1.86 एकड़ क्षेत्र के लिए उनके पक्ष में प्रतिकर निर्धारित किया गया था ।

और यतः प्रस्थापित प्रतिकर की राशि पर्याप्तता के बारे में विवाद होने से उक्त अर्जन के लिए संदेय प्रतिकर की राशि करार द्वारा नियत नहीं की जा सकती ; और इस प्रकार प्रस्थापित राशि हितबद्ध व्यक्तियों द्वारा सविरोध ही स्वीकार की गई है ;

अतः अब कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम 1957 की धारा 14 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार हितबद्ध व्यक्तियों को संदेय प्रतिकर की राशि को अवधारित करने के प्रयोजन के लिए एतद्वारा एक अधिकरण को गठित करती है जिसमें श्री रबिनेश्वर प्रसाद सिन्हा, अपर न्यायिक आयुक्त रांची होंगे ।

[सं० फा० को० 3-5(9)/70]

S.O. 2216.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel and Mines (Department of Mines and Metals) No. S.O. 2565 dated the 9th August, 1965 under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government has acquired,—

- (i) land measuring 235.00 acres in villages Manidi, Garbhudih, Bardubhi, Baludhi, Dubrajpur and Jatudih; and
- (ii) the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 40.00 acres in villages Garbhudih, Baludih, Dubrajpur, Bardubhi and Jatudih, in the District Dhanbad.

And whereas Srimati Saroda Goalin D/o Gujan Gope and Sri Gadu Gope S/o Chitu Gope, father of Luxman Gope were found as persons interested for compensation under section 13 of the said Act in accordance with the authentication made by the State government authorities and accordingly compensation for an area of 0.34 acre out of the said acquisition was assessed in their favour;

And whereas the amount of compensation payable for the said acquisition could not be fixed by agreement there being a dispute as to the sufficiency of amount of compensation offered and the amount so offered has been accepted by the persons interested under protest;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby constitutes a Tribunal consisting of Shri Rabeshwar Prasad Sinha Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the persons interested.

[No C3-5(9)/70.]

का० आ० 2216.—यतः कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 के अधीन भारत सरकार के भूपूर्व इस्पत और खान मंत्रालय (खान और धातु विभाग) की अधिसूचना संख्या का० आ० 2565 तारीख 9 अगस्त, 1965 के अनुसारण में केन्द्रीय सरकार ने निम्नलिखित का अर्जन किया है :—

- (i) मनीदी, गरबूडीह, बारदुभी, बालुडीह, दुबराजपुर, और जातुडीह ग्रामों में 235.00 एकड़ माप की भूमि; और

- (ii) धनबाद जिले में गरबुडीह, बालुडीह, डुबराजपुर, बारदुमी और जातुडीह ग्रामों में 40.00 एकड़ माप की भूमि में, खनिजों के खनन, खदान क्रिया, बोर करने, खोदने के लिए और उन की तलाश करने, उन्हें प्राप्त करने, कार्य करने और ले जाने के अधिकार;

और यतः राज्य सरकार प्राधिकारियों द्वारा किए गए अधिग्रहणन के अनुसार उक्त अधिनियम की धारा 13 के अधीन श्रीमती सरोदा गोलिन, सुपुत्री गुजन गोप और श्री गाडु गोप, सुपुत्र चिटु गोप, लक्ष्मण गोप के पिता, प्रतिकरार्थ हितबद्ध व्यक्तियों के रूप में पाए गए थे और तदनुसार उक्त अर्जन में से 0.34 एकड़ क्षेत्र के लिए उनके पक्ष में प्रतिकर निर्धारित किया गया;

और यतः प्रस्थापित प्रतिकर की राशि की पर्याप्तता के बारे में विवाद होने से उक्त अर्जन के लिए संदेय प्रतिकर की राशि करार द्वारा निवृत्त नहीं की जा सकी; और इस प्रकार प्रस्थापित राशि हितबद्ध व्यक्तियों द्वारा सखिरोध ही स्वीकार की गई है;

अतः, अब कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 14 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार हितबद्ध व्यक्तियों को संदेय प्रतिकर की राशि को अवधारित करने के प्रयोजन के लिए एतद्वारा एक अधिकरण को गठित करती है जिसमें श्री रवनेश्वर प्रसाद सिन्हा, अपर न्यायिक आयुक्त, रांची होंगे।

[सं० फा० को० 3-5(9)/70]

S.O. 2217.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel and Mines (Department of Mines and Metals), No. S.O. 2565, dated the 9th August, 1965 under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government has acquired,—

- (i) land measuring 235.00 acres in villages Manidli, Garbhudih, Bardubhi Baludih, Dubrajpur and Jatudih; and
- (ii) the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 40.00 acres in village Garbhudih, Baludih, Dubrajpur, Bardubhi and Jatudih, in the District Dhanbad;

And whereas S/Shri Umed Singh, Chhatis Singh, Sahdeo Singh, Satyanarayan Singh, and Parmanand Singh were found as persons interested for compensation under section 13 of the said Act in accordance with the authentication made by the State Government authorities and accordingly compensation for an area of 4.32 acres of land out of the said acquisition was assessed in their favour;

And whereas the amount of compensation payable for the said acquisition could not be fixed by agreement there being a dispute as to the sufficiency of amount of compensation offered and the amount so offered has been accepted by the persons interested under protest;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby constitutes a Tribunal consisting of Shri Rabneshwar Prasad Sinha, Additional Judicial Commissioner, Ranchi for the purpose of determining the amount of compensation payable to the persons interested.

[No. C3-5(9)/70.]

फा० आ० 2217.—यतः कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) को धारा 9 के अधीन भारत सरकार के भूतत्पूर्व इस्पात और खान मंत्रालय (खान और धातु विभाग) की अधिसूचना संख्या फा० आ० 2565, तारीख 9 अगस्त, 1965 के अनुसरण में केन्द्रीय सरकार ने निम्नलिखित का अर्जन किया है :—

- (i) मनीदी, गरबुडीह, बारदुमी बालुडीह, डुबराजपुर और जातुडीह ग्रामों में 235.00 एकड़ माप की भूमि; और

- (ii) धनबाद जिले में गरबुडीह, बालुडीह, डुबराजपुर, बारदुभी औप जातुडीह ग्रामों में 40.00 एकड़ माप की भूमि में, खनिजों के खनन, खदान क्रिया, बोर करने, खोदने के लिए और उनकी तालाश करने, उन्हें प्राप्त करने, कार्य करने और ले जाने के अधिकार ;

और यतः राज्य सरकार प्राधिकारियों द्वारा किए गए अधिप्रमाणन के अनुसार उक्त अधिनियम की धारा 13 के अधीन सर्वश्री उमेद सिंह, छत्तीस सिंह, सहदेव सिंह, सत्यनारायण सिंह और परमानन्द सिंह प्रति करार्थ हितबद्ध व्यक्तियों के रूप में पाए गए थे और तदनुसार उक्त अर्जन में से 4.32 एकड़ क्षेत्र के लिए उनके पक्ष में हितकार प्रतिकर निर्धारित किया गया था ;

और यतः प्रस्थापित प्रतिकर की राशि की पर्याप्तता के बारे में विवाद होने से उक्त अर्जन के लिये सन्देश प्रतिकर की राशि करा र द्वारा नियत नहीं की जा सकी ; और इस प्रकार प्रस्थापित राशि हितबद्ध व्यक्तियों द्वारा सविरोध ही स्वीकार की गई है ।

अतः, अब कोयला क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 14 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये केन्द्रीय सरकार हितबद्ध व्यक्तियों को सन्देश प्रतिकर की राशि को अवधारित करने के प्रयोजन के लिये एतद्वारा एक अधिकरण को गठित करती है जिसमें श्री रवनेश्वर प्रसाद सिन्हा, अपर न्यायिक आयुक्त, रांची होंगे ।

[संख्या फा० को० 3—5(9)/70]

के० सुब्रह्मण्य, अवसर सचिव ।

S.O. 2218.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel and Mines (Department of Mines & Metals) No. S.O. 2565, dated the 9th August, 1965 under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government has acquired,—

- (i) land measuring 235.00 acres in villages Manidl, Garbhudih, Bardubhi Baludih, Dubrajpur and Jatudih; and
- (ii) the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 40.00 acres in villages Garbhudih, Baludih, Dubrajpur, Bardubhi and Jatudih, in the District Dhanbad;

And whereas Sri Joti Lal Singh, Promod Singh, Bhubaneshwar Singh, Shiblal Singh, Ramanand Mosif, Govind Singh, and Guhl Singh were found as persons interested for compensation under section 13 of the said Act in accordance with the authentication made by the State Government authorities and accordingly compensation for an area of 6.38 acres out of the said acquisition was assessed in their favour;

And whereas the amount of compensation payable for the said acquisition could not be fixed by agreement there being a dispute as to the sufficiency of amount of compensation offered and the amount so offered has been accepted by the persons interested under protest;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby constitutes a Tribunal consisting of Shri Rabneshwar Prasad Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the persons interested.

[No. C3-5(9)/70.]

का०आ० 2218—यतः कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 के अधीन भारत सरकार के भूतत्पूर्व इस्पात और खान मंत्रालय (खान और धातु विभाग) की अधिसूचना संख्या का० आ० 2565, तारीख 9 अगस्त, 1965 के अनुसरण में केन्द्रीय सरकार ने निम्नलिखित का अर्जन किया है :—

- (i) मनीदी, गरबुडीह, बारदुभी, बालुडीह, डुबराज पुर, और जातुडीह ग्रामों में 235.00 एकड़ माप की भूमि; और

(ii) धनबाद जिले में गरबुडीह, बालडीह, डबराजपुर, बारदुभी और जातुडीह ग्रामों में 40.00 एकड़ भाग की भूमि में, खनिजों के खनन, खदान क्रिया, बोर करने, खोदने के लिये और उनकी तलाश करने उन्हें प्राप्त करने, कार्य करने और जाने के अधिकार ;

और यतः राज्य सरकार प्राधिकारियों द्वारा किये गये अधिप्रमाणन के अनुसार उक्त अधिनियम की धारा 13 के अधीन सर्व श्री जोति लाल सिंह, प्रमोद सिंह, भुवनेश्वर सिंह, शिव लाल सिंह, रमानन्द मोसिफ, गोविन्द सिंह और गृही सिंह प्रतिकरार्थ हितबद्ध व्यक्तियों के रूप में पाए गये थे और तदनुसार उक्त अर्जन में से 6.38 एकड़ क्षेत्र के लिये उनके पक्ष में प्रतिकर निर्धारित किया गया था ;

और यतः प्रस्थापित प्रतिकर की राशि की पर्याप्तता के बारे में विवाद होने से उक्त अर्जन के लिये सन्देश प्रतिकर की राशि करार द्वारा नियत नहीं की जा सकी ; और इस प्रकार प्रस्थापित राशि हितबद्ध व्यक्तियों द्वारा सविरोध ही स्वीकार की गई है ;]

अतः, अब कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 14 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये, केन्द्रीय सरकार हितबद्ध व्यक्तियों को सन्देश प्रतिकर की राशि को अवधारित करने के प्रयोजन के लिये एतद्वारा एक अधिकरण को गठित करती है जिसमें श्री खनेश्वर सिन्हा, अपर न्यायिक आयुक्त, रांची होंगे ।

[संख्या फा० को 3—5(9)/70]

S.O. 2219.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel and Mines (Department of Mines & Metals) No. S.O. 2565, dated the 9th August, 1965 under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government has acquired,—

- (i) land measuring 235.00 acres in villages Manldi, Garbhudih, Bardubhi Baludih, Dubrajpur and Jatudih; and
- (ii) the rights to mine, quarry, bore, dig and search for win, work and carry away minerals in the lands measuring 40.00 acres in villages Garbhudih, Baludih, Dubrajpur and Jatudih; and

And whereas S/Shri Bijay Singh, Jitu alias Radhanath, Nera Lal Singh, Rup Lal Singh, Patel Chand Singh, Amrit Lal Singh, Bhusan Singh and Kamala, w/o Bhikhari Singh were found as persons interested for compensation under section 13 of the said Act in accordance with the authentication made by the State Government authorities and accordingly compensation for an area of 4.18 acres out of the said acquisition was assessed in their favour;

And whereas the amount of compensation payable for the said acquisition could not be fixed by agreement there being a dispute as to the sufficiency of amount of compensation offered and the amount so offered has been accepted by the persons interested under protest;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby constitutes a Tribunal consisting of Shri Rabneshwar Prasad Sinha, Additional Judicial Commissioner, Ranchi for the purpose of determining the amount of compensation payable to the persons interested.

[No. C3-5(9)/70]

एस० ओ० 2219.—यतः कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम 1957 (1957 का 20) की धारा 9 के अधीन भारत सरकार के भूतपूर्व इस्पात और खान (खान और धातु विभाग) की अधिसूचना संख्या फा० आ० 2565, तारीख 9 अगस्त, 1965 के अनुसारण में केन्द्रीय सरकार ने निम्नलिखित का अर्जन किया है :—

- (1) मनीडी, गरबुडीह, बारदुभी, बालुडीह, डबराजपुर और जातुडीह ग्रामों में 235.00 एकड़ भाग की भूमि ; और

- (ii) धनबाद जिले में गुरुबुडीह, डुबराजपुर, बालुडीह, बारदुभी और जातुडीह ग्रामों में 40.00 एकड़ माप की भूमि में, खनिजों के खनन, खदान क्रिया, बोर करने, खोदने के लिए और उन की तालाश करने, उन्हें प्राप्त करने, कार्य करने और ले जाने के अधिकार;

और यतः राज्य सरकार प्राधिकारियों द्वारा किए गए अधिप्रमाणन के अनुसार उक्त अधिनियम, की धारा 13 के अधीन सर्व श्री बिजय सिंह जितू उर्फ राधानाथ, नेरा लाल सिंह, रूप लाल सिंह, पटेल चन्द सिंह, अमृत लाल सिंह, भूषण सिंह और कमला, पत्नी भिखारी सिंह, प्रतिकरार्थ सितबद्ध व्यक्तियों के रूप में पाए गए थे और तदनुसार उक्त अर्जन में से 4.18 एकड़ क्षेत्र के लिए उनके पक्ष में प्रति-कर निर्धारित किया गया था ;

और यतः प्रस्थापित प्रतिकर की राशि की पर्याप्तता के बारे में विवाद होने से उक्त अर्जन के लिए संदेय प्रतिकर की राशि करार द्वारा नियत नहीं की जा सकती; और इस प्रकार प्रस्थापित राशि हितबद्ध व्यक्तियों द्वारा सविरोध ही स्वीकार की गई है ;

अतः, अब कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 14 की धारा (2) द्वारा प्रदत्त शक्तियाँ का प्रयोग करते हुए, केन्द्रीय सरकार हितबद्ध व्यक्तियों को संदेय प्रतिकर की राशि को अवधारित करने के प्रयोजन के लिए एतद्वारा एक अधिकरण की गठित करती है जिसमें श्री रघुनेश्वर प्रसाद सिन्हा, अपर न्यायिक आयुक्त, रांची होंगे ।

(सं० फा० को० 3-5(9)/70)

S.O. 2220.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel and Mines (Department of Mines & Metals) No. S.O. 2565 dated the 9th August, 1965 under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government has acquired,—

- (i) land measuring 235.00 acres in villages Manidi, Garbhudih, Bardubhi Baludih, Dubrajpur and Jatudih; and
- (ii) the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 40.00 acres in villages Garbhudih, Baludih, Dubrajpur, Bardubhi and Jatudih, in the District Dhanbad;

And whereas S/Shri Sarba Nand Singh, Chhatu Singh, Bharat Singh, Gulu Singh, Allu Singh, Mohan Singh and Haldhar Singh were found as persons interested for compensation under section 13 of the said Act in accordance with the authentication made by the State Government authorities and accordingly compensation for an area of 1.49 acres out of the said acquisition was assessed in their favour;

And whereas the amount of compensation payable for the said acquisition could not be fixed by agreement there being a dispute as to the sufficiency of amount of compensation offered and the amount so offered has been accepted by the persons interested under protest;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby constitutes a Tribunal consisting of Shri Rabneshwar Prasad Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the persons interested.

का० आ० 2220.—यतः कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 के अधीन भारत सरकार के भूतत्पूर्व इस्पात और खान मंत्रालय (खान और धातु विभाग) की अधिसूचना संख्या का० आ० 2565 तारीख 9 अगस्त, 1965 के अनुसरण में केन्द्रीय सरकार के निम्नलिखित का अर्जन किया है :—

- (1) मनीदी, गरबुडीह, बारदुभी, बालुडीह, डुबराजपुर और जातुडीह ग्रामों में 235.00 एकड़ माप की भूमि, और

- (ii) धनबाद जिले में गरबुडीह, बालुडीह, डुबराजपुर, बारदुभी और जातुडीह ग्रामों में 40.00 एकड़ माप की भूमि में, खनिजों के खनन, खदान क्रिया, बोर करने, खोदने के लिए और उन की तलाश करने, उन्हें प्राप्त करने, कार्य करने और ले जाने के अधि-कार ;

और यतः राज्य सरकार प्राधिकारियों के अधिप्रमाणन के अनुसार उक्त अधिनियम की धारा 13 के अधीन सर्वश्री सर्वानन्द सिंह, छाटू सिंह, भारत सिंह, गुलू सिंह, आलू सिंह, मोहन सिंह और हलधर सिंह प्रतिकरार्थ हितबद्ध व्यक्तियों के रूप में पाए गए थे और तदनुसार उक्त अर्जन में से 1.49 एकड़ भूमि क्षेत्र के लिए उनके पक्ष में प्रतिकर निर्धारित किया गया था ;

और यतः प्रस्थापित प्रतिकर की राशि की पर्याप्तता के बारे में विवाद होने से उक्त अर्जन के लिए संदेय प्रतिकर की राशि करार द्वारा नियत नहीं की जा सकी ; और इस प्रकार प्रस्थापित राशि हितबद्ध व्यक्तियों द्वारा सविरोध ही स्वीकार की गई है ;

अतः, अब कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 14 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार हितबद्ध व्यक्तियों को संदेय प्रतिकर की राशि को अवधारित करने के प्रयोजन के लिए एतद्वारा एक अधिकरण को गठित करती है जिसमें श्री रवनेश्वर प्रसाद सिन्हा, अपर न्यायिक आयुक्त, रांची होंगे ।

[सं० फा० को० 3-5(9)/70]

S.O. 2221.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel and Mines (Department of Mines & Metals) No. S.O. 2565 dated the 9th August, 1965 under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government has acquired:—

- (i) land measuring 235.00 acres in villages Manidi, Garbhudih, Bardubhi, Baludih, Dubrajpur and Jatudih; and
- (ii) the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 40.00 acres in villages Garbhudih, Baludih, Dubrajpur, Bardubhi and Jatudih, in the District Dhanbad;

And whereas S/Shri Motilal alias Doman Saina Joutu Sain and Rajkumar Sain were found as persons interested for compensation under section 13 of the said Act in accordance with the authentication made by the State Government authorities and accordingly compensation for an area of 1.44 acres of land out of the said acquisition was assessed in their favour;

And whereas the amount of compensation payable for the said acquisition could not be fixed by agreement there being a dispute as to the sufficiency of amount of compensation offered and the amount so offered has been accepted by the persons interested under protest;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby constitutes a Tribunal consisting of Shri Rabneshwar Prasad Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the persons interested.

.. [No. C3-5(9)/70.]

का०आ० 2221.—यतः कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 के अधीन भारत सरकार के भूतत्पूर्व इस्पात और खान मंत्रालय (खान और धातु विभाग) की अधिसूचना संख्या का० आ० 2565 तारीख 9 अगस्त, 1965 के अनुसरण में केन्द्रीय सरकार ने निम्नलिखित का अर्जन किया है :—

- (i) मनीदी, गरबुडीह, बारदुभी, बालुडीह, डुबराजपुर और जातुडीह ग्रामों में 235.00 एकड़ माप की भूमि, और

- (ii) धनबाद जिले में गरबुडीह, बालुडीह, डुबराजपुर, बारदुभी और जालुडीह ग्रामों में 40.00 एकड़ माप की भूमि में, खनिजों के खनन, खदान क्रिया, बोर करने, खोदने के लिए और उनकी तलाश करने, उन्हें प्राप्त करने, कार्य करने और ले जाने के अधिकार ;

और यतः राज्य सरकार प्राधिकारियों द्वारा किए गए अधिप्रमाणन के अनुसार उक्त अधिनियम की धारा 13 के अधीन सर्वश्री मोतीलाल उर्फ बामन सेन जोतू सेन और राजकुमार सेन प्रति-करार्थ हितबद्ध व्यक्तियों के रूप में पाए गए थे और तदनुसार उक्त अर्जन में से 1.44 एकड़ क्षेत्र के लिए उन के पक्ष में प्रतिकर निर्धारित किया गया था ;

और यतः प्रस्थापित प्रतिकर की राशि की पर्याप्तता के बारे में विवाद होने से उक्त अर्जन के लिए संदेय प्रतिकर की राशि करार द्वारा नियत नहीं की जा सकी ; और इस प्रकार प्रस्थापित राशि हितबद्ध व्यक्तियों द्वारा सविरोध ही स्वीकार की गई है ;

अतः, अब कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 14 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार हितबद्ध व्यक्तियों को संदेय प्रतिकर की राशि को अवधारित करने के प्रयोजन के लिए एतद्द्वारा एक अधिकरण को गठित करती है जिसमें श्री रवनेश्वर प्रसाद सिन्हा, अपर न्यायिक आयुक्त, रांची होंगे ।

[सं० फा० को० 3-5(9)/70]

S.O. 2222—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel and Mines (Department of Mines & Metals) No. S.O. 2565 dated the 9th August, 1965 under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government has acquired:—

- (i) land measuring 235.00 acres in villages Manidi, Garbhudih, Bardubhi Baludih, Dubrajpur and Jatudih; and
- (ii) the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 40.00 acres in villages Garbhudih, Baludih, Dubrajpur, Bardubhi and Jatudih, in the District Dhanbad;

And whereas S/Shri Chitta Ranjan Singh Chaudhury, and Thakur Dayal Singh Chaudhury, s/o, Beni Madho Singh were found as persons interested under section 13 of the said Act in accordance with the authentication made by the State Government authorities and accordingly compensation for an area of 1.10 acres out of the said acquisition was assessed in their favour;

And whereas the amount of compensation payable for the said acquisition could not be fixed by agreement there being a dispute as to the sufficiency of amount of compensation offered and the amount so offered has been accepted by the persons interested under protest;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby constitutes a Tribunal consisting of Shri Rabneshwar Prasad Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the persons interested.

का० आ० 2222.—यतः कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 के अधीन भारत सरकार के भूतपूर्व इस्पात और खान मंत्रालय (खान और धातु विभाग) की अधिसूचना का० आ० 2565 तारीख 9 अगस्त, 1965 के अनुसरण में केन्द्रीय सरकार ने निम्नलिखित का अर्जन किया है :—

- (i) मनीदी, गरबूडीह, बारदुभी, बालुडीह, डुबराजपुर और जातुडीह ग्रामों में 235.00 एकड़ माप की भूमि, और
- (ii) धनबाद जिले में गरबूडीह, बालुडीह, डुबराजपुर, बारदुभी और जातुडीह ग्रामों में 40.00 एकड़ माप की भूमि में खनिजों के खनन, खदान क्रिया, बोर करने, खोदने के लिए और उन की तलाश करने, उन्हें प्राप्त करने, कार्य करने और ले जाने के अधिकार ;

और यतः राज्य सरकार प्राधिकारियों के अधिप्रमाणन के अनुसार उक्त अधिनियम की धारा 113 के अधीन सर्वश्री चित्त रंजन सिंह चौधरी, और ठाकुर दयाल सिंह चौधरी, पुत्र श्री बेनी माधो सिंह, हितबद्ध व्यक्तियों के रूप में पाए गए थे और तदनुसार उक्त अर्जन में से 1.10 एकड़ क्षेत्र के लिए उनके पक्ष में प्रतिकर निर्धारित किया था ;

और यतः प्रस्थापित प्रतिकर की राशि की पर्याप्तता के बारे में विवाद होने से उक्त अर्जन के लिए संदेय प्रतिकर की राशि करार द्वारा नियत नहीं की जा सकी ; और इस प्रकार प्रस्थापित राशि हितबद्ध व्यक्तियों द्वारा सविरोध हो स्वीकार की गई है ;

अतः, अब कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 14 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार हितबद्ध व्यक्तियों को संदेय प्रतिकर की राशि को अवधारित करने के प्रयोजन के लिए एतद्द्वारा एक अधिकरण को गठित करती है जिसमें श्री रवनेश्वर प्रसाद सिन्हा, अपर न्यायिक आयुक्त, रांची होंगे ।

[सं० फा० को० 3-5(9)/70]

के० सुब्रह्मण्यम, अव्वर सचिव ।

ERRATUM

New Delhi, the 20th May 1971

S.O. 2223.—In the Notification of the Government of India in the late Ministry of Petroleum & Chemicals and Mines and Metals (Department of Mines and Metals), No. S.O. 2811, dated the 22nd August, 1970, published in Part II, Section 3, Sub-section (ii) of the Gazette of India Extraordinary, dated the 22nd August, 1970, at pages 1395 to 1401:—

(i) at page 1395—

in line 6 of the first para of the notification, for “410 acres”, read “4.10 acres”;

(ii) at page 1396—

(i) in line 1, for “th”, read “the”;

(ii) in line 27, for “the proceedings held by him a report containing”, read “the proceedings held by him and a report containing”;

- (iii) in lines 27 and 28, for "recommendattions", read "recommendations";
- (iii) at page 1397—
- (i) in line 3, for "TAPPING BLOCK", read "TAPING BLOCK";
- (ii) in line 29, for "490(P), 492(P), 394(P), 493(P), 496(P) 497 to 589, 568 to 689, 590(P), 591, 592, 593(P), 595(P)", read "490(P), 492(P), 494(P), 495(P), 496(P), 497 to 589, 590(P), 591, 592, 593(P), 595(P)";
- (iv) at page 1398—
- (i) in line 19, for "meets at pont 'D'", read "meets at point 'D'";
- (ii) in line 20, for "Line passes rhough plot numes 131, 132 (Bokaro River) village Mandu, through", read "Line passes through plot numbers 131, 132 (Bokaro River) in village Mandu, through";
- (iii) in line 21, for "mcets at point E, read "meets at point 'E'";
- (iv) in line 34, for "plot Number 220", read "plot Number 220";
- (v) at page 1399—
- (i) in line 2, for "DRG No. REY/13/70", read "DRG No. REV/13/70";
- (ii) in line 6, for "bore dig and search for, win work and", read "bore, dig and search for win, work and";
- (iii) in lines 9 and 10, for "Serial wo", read "Serial No.";
- (iv) in line 21, for "121500 Hectares (approximately)", read "1215.00 Hectares (approximately)";
- (v) in line 24, for "lot Numbers", read "Plot Numbers";
- (vi) in line 33, for "328", read "338";
- (vii) in line 36, for "village Chakdih orUchakdih", read "village Chakdih or Ichakdih";
- (viii) in lines 39 and 40, for "1903 to to 1909", read "1903 to 1909";
- (vi) at page 1400—
- (i) in line 2, for "8(P)", read "18(P)";
- (ii) in line 3, for "32 to 65 66(P)", read "32 to 65, 66(P)";
- (iii) in line 13, for "838(P), read "836(P)";
- (iv) in line 22, for "692", read "69";
- (v) in line 24, for "320", read "329";
- (vi) in line 30, for "I-K-L-M", read "J-K-L-M".

[No. C3-1(13)/70.]

K. SUBRAHMANYAN, Under Secy.

SHRAM AUR PUNARVAS MANTRALAYA

(Shram Aur Rozgar Vibhag)

New Delhi, the 22nd May, 1971

S.O. 2224.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 30th day of May, 1971, as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76, sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Tamil Nadu, namely:—

The area within limits of the revenue villages of Gonur, Veerakkalpudur, Pottaneri-Nellagoundanpatti, Pottaneri, Virudasampatti and Veerakkal in Mettur Taluk in Salem District.

[No. F.604(23)/70-HI.]

श्रम और पुनर्वास मंत्रालय

(श्रम और रोजगार विभाग)

नई दिल्ली, 22 मई, 1971

का० आ० 2224.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा, प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवम् द्वारा 30 मई, 1971 को उस तारीख के रूप में निपट करती है जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 [धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध तमिलनाडु राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

सलेम जिले में मेट्टूर तालुक में मोनूर वीरक्कलपुडुर पोट्टुनेरी—नेल्लोन्नान्दानपट्टी पोट्टुनेरी, विरूदासमपट्टी और वीरक्कल के राजस्व ग्रामों की सीमा के भीतर का क्षेत्र।

[सं० फा० 604(23)/70-एच०आई०]

New Delhi, the 26th May 1971

S.O. 2225.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government having regard to the location of the Malampuzha Project Workshop, P.O. Malampuzha Dam, Palghat, belonging to the Government of Kerala in an area in which the provisions of Chapters IV and V of the said Act are in force, hereby exempts the said workshop from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a period of one year with effect from the 12th October, 1970 upto and inclusive of the 11th October, 1971.

[No. F. 602(41)/70-HI.]

नई दिल्ली, 26 मई, 1971

का० आ० 2225. —कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73-च द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये केन्द्रीय सरकार को सरकार की मालम-पूजा परियोजना कर्मशाला डाकघर मानमपूजा डैम, पालघाट की ऐसे क्षेत्र में, जिसमें उक्त अधिनियम के अध्याय 4 और 5 उपबन्ध प्रदत्त हैं, अवस्थित को ध्यान में रखते हुये उक्त कर्मशाला को उक्त अधिनियम के अध्याय 5-क के अधीन उद्घाटनीय नियोजक के विशेष अभिदाय के सन्दाय से 12 अक्टूबर, 1970 से 11 अक्टूबर, 1971 तक जिसमें वह दिन भी सम्मिलित है, एक और वर्ष की अवधि के लिये एतद्द्वारा छूट देती है।

[सं० फा० 602(41)/70-एच०आई०]

S.O. 2226.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1161 dated the 20th March, 1970 the Central Government having regard to the location of the factory, known as Utran Power House, Surat belonging to Gujarat Electricity Board in an area in which the provisions of Chapters IV and V of the said Act are in force, hereby exempts the said factory from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the 25th February, 1971 upto and inclusive of the 24th February, 1972.

[No. F. 602(6)/70-HI.]

का० आ० 2226 :—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73-च द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० आ० 1161 तारीख

20 मार्च, 1970 के क्रम में केन्द्रीय सरकार गुजरात विद्युत् बोर्ड के उत्तान बिजली घर, सूरत नामक कारखाने की ऐसे क्षेत्र में, जिसमें उक्त अधिनियम के अध्याय 4 और 5 के उपबन्ध प्रवृत्त हैं, अवस्थिति को ध्यान में रखते हुये उक्त कारखाने को उक्त अधिनियम के अध्याय-5क के अधीन उद्ग्रहणीय नियोजक के विशेष अभिदाय के सन्दाय से 25 फरवरी, 1971 से 24 फरवरी, 1972 तक जिसमें वह दिन भी सम्मिलित है, एक और वर्ष की अवधि के लिये एतद्वारा छूट देती है।

[सं० फा० 602(6)/70-एच० आई०]

S.O. 2227.—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) S.O. No. 2513 dated the 18th June, 1969, the Central Government hereby exempts the Gauhati Installation and Patna Installation of the Indian Oil Corporation Limited, from all the provisions of the said Act, for a further period of one year with effect from the 28th June, 1970 upto and inclusive of the 27th June, 1971.

[No. F. 601(30)/70-HI.]

का० प्रा० 2227:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये भारत सरकार के श्रम, रोजगार और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना का० प्रा० सं० 2513 तारीख 18 जून, 1969 के क्रम में केन्द्रीय सरकार भारतीय तेल निगम लिमिटेड के गोहाटी प्रतिष्ठान को उक्त अधिनियम के सभी उपबन्धों से 28 जून, 1970 से 27 जून, 1971 तक, जिसमें वह दिन भी सम्मिलित है, एक और वर्ष की अवधि के लिये एतद्वारा छूट देती है।

[सं० फा० 601(30)/70-एच० आई०]

S.O. 2228.—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 447, dated the 23rd January, 1970, the Central Government hereby exempts Messrs Indian Refineries Limited, Gauhati from all the provisions of the said Act for a further period of one year with effect from the date of expiry of the period specified in the said notification and inclusive of the 23rd January, 1972.

[No. F. S-38017(2)/71-HI.]

का० प्रा० 2228:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये और भारत सरकार के श्रम, रोजगार और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० का० प्रा० 447 तारीख 23 जनवरी, 1970 के क्रम में केन्द्रीय सरकार मेसर्स इंडियन रिफाइनरीज लिमिटेड, गोहाटी को उक्त अधिनियम के सभी उपबन्धों से उक्त अधिसूचना में निर्दिष्ट अवधि की समाप्ति की तारीख से एक और वर्ष की अवधि के लिए 23 जनवरी, 1972 तक जिसमें वह दिन भी सम्मिलित है, एतद्वारा छूट देती है।

(सं० फा० एस-38017(2)/71-एच आई०)

S.O. 2229.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2278 dated the 20th June, 1970 the Central Government having regard to the location of the Hamdard (Wakf) Laboratories, Lal Kuan, Delhi-6, in an area in which the provisions of Chapters IV and V of the said Act are in force, hereby exempts the said Laboratories from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the 29th January, 1971 upto and inclusive of the 28th January, 1972.

[No. F. 601(24)/70-HI.]

का० आ० 2229.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) का धारा 73-च, द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० आ० 2278 तारीख 20 जून, 1970 के क्रम में केन्द्रीय सरकार हमदर्द (वक्फ) लेबोरेटरीज, लाल कुआं, दिल्ली-6 की ऐसे क्षेत्र में, जिसमें उक्त अधिनियम के अध्याय 4 और 5 के उपबन्ध प्रवृत्त हैं अवस्थिति को ध्यान में रखते हुए उक्त लेबोरेटरीज को उक्त अधिनियम के अध्याय 5-क के अधीन उद्ग्रहणीय नियोजक के विशेष अभिदाय के संदाय से 29 जनवरी 1971 से 28 जनवरी, 1972 तक जिसमें वह दिन भी शामिल है, एक और वर्ष की कालावधि के लिए एतद्वारा छूट देती है।

[सं० फा० 601/(24)/70-एच० आई०]

S.O. 2230.—In exercise of the powers conferred by section 88 of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2969 dated the 15th July, 1969 the Central Government hereby exempts the monthly rated employees of the Fertiliser Corporation of India Limited, Trombay Division, Bombay from the operation of the said Act except Chapter VA thereof, for a further period of one year with effect from the 26th July, 1970 upto and inclusive of the 25th July, 1971.

2. The above exemption is subject to the following conditions, namely:—

- (i) the aforesaid factory shall maintain a register showing the names and designations of the exempted employees; and
- (ii) that notwithstanding this exemption the employees shall continue to receive such benefits under the said Act to which they might have qualified on the basis of contributions paid before the date of exemption.

[No. F. 6/33/69-HI]

का० आ० 2230.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० का० आ० 2969 तारीख 15 जुलाई 1969 के क्रम में केन्द्रीय सरकार एतद्वारा भारतीय उर्वरक निगम, लिमिटेड ट्रोम्बे डिवीजन, मुम्बई के मासिक दर वाले कर्मचारियों को उक्त अधिनियम के अध्याय 5-क के सिवाय उस अधिनियम के प्रवर्तन से 26 जुलाई, 1970 से 25 जुलाई, 1971 तक, जिसमें वह दिन भी सम्मिलित है एक और वर्ष की अवधि के लिए छूट देती है।

2. उपरोक्त छूट निम्नलिखित शर्तों के अधीन रहते हुए होगी, अर्थात् :—

3. (i) पूर्वोक्त कारखाना छूट प्राप्त कर्मचारियों के नामों और पदनामों को दर्शित करने वाला एक रजिस्टर रखा जायेगा ; और
- (ii) इस छूट के होते हुए भी कर्मचारी उक्त अधिनियम के ऐसे फायदे प्राप्त करते रहेंगे जिनके लिए वे छूट की तारीखों से पूर्व किए गए अभिदायों के आश्रय पर अर्हित हो गये हों।

[सं० फा० 6/33/69-एच० आई०]

S.O. 2231.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 806 dated the 20th February, 1970 the Central Government having regard to the location of the Borstal School Pudukottai belonging to the Jail Department of the Government of Tamil Nadu in an area in which the provisions of Chapters IV and V of the

said Act are in force, hereby exempts the said school from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the 10th February, 1971 upto and inclusive of the 9th February, 1972.

[No. F. S-38017(3)/71-HI.]

का० ग्रा० 2231.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73-च द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, रोजगार और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० ग्रा० 806 तारीख 20 फरवरी, 1970 के क्रम में केन्द्रीय सरकार [तामिलनाडु सरकार के जेल विभाग के बोस्टल स्कूल पुडुकोट्टई के ऐसे क्षेत्र में, जिसमें उक्त अधिनियम के अध्याय 4 और 5 के उपबन्ध प्रवृत्त हैं, अवस्थिति को ध्यान में रखते हुए उक्त स्कूल को उक्त अधिनियम के अध्याय 5-क के अधीन उद्ग्रहणीय नियोजक के विशेष अभिदाय के संदाय से 10 फरवरी 1971 से 9 फरवरी, 1972 तक जिसमें वह दिन भी सम्मिलित है, एक और वर्ष की अवधि के लिए एतद्द्वारा छूट देती है।

[सं० फा० एस-38017(3)/71-एच०आई०]

S.O. 2232.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factory namely, Chamarajasagara Water Works, Tippegondanahalli in Bangalore District in the State of Mysore in which the provisions of the Chapters IV and V of the said Act are not in force, hereby exempts the said factory from the payment of employer's special contribution leviable under Chapter VA of the said Act for a period of one year from the date of publication of this notification in the Official Gazette or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

[No. F. 602(12)/70-HI.]

का० ग्रा० 2232.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73-च द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार चामराजसागर वाटर वर्क्स, टिपेगोण्डानहल्ली, नाम कारखाने की बंगलूर जिले में, मैसूर राज्य में, जिसमें उक्त अधिनियम के अध्याय 4 और 5 के उपबन्ध प्रवृत्त नहीं हैं, अवस्थिति को ध्यान में रखते हुए उक्त कारखाने को उक्त अधिनियम के अध्याय 5-क के अधीन उद्ग्रहणीय नियोजक के विशेष अभिदाय के संदाय से इस अधिसूचना के शासकीय राजपत्र में प्रकाशन की तारीख से एक वर्ष की अवधि के लिए या तब तक के लिए जब तक कि उक्त अधिनियम के अध्याय 5 के उपबन्ध उन क्षेत्रों में प्रवृत्त न हो जाएं, जो भी पूर्वतर हों, एतद्द्वारा छूट देती है।

[सं० फा० 602(12)/70-एच०आई०]

S.O. 2233.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 988 dated the 5th March, 1970, the Central Government having regard to the location of the factory namely, Central Workshop Baroda belonging to the Oil and Natural Gas Commission in an area in which the provisions of Chapters IV and V of the said Act are in force, hereby exempts the said factory from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the 16th March, 1971 upto and inclusive of the 15th March, 1972.

[No. F. 601/1/70-HI.]

का० ग्रा० 2233.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73-च द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, रोजगार और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० ग्रा० 988 तारीख 5 मार्च 1970 के क्रम में केन्द्रीय सरकार तेल और प्राकृतिक गैस आयोग की केन्द्रीय कर्मशाला

बड़ोदा नामक कारखाने की ऐसे क्षेत्र में, जिसमें उक्त अधिनियम के अध्याय 4 और 5 के उपबन्ध प्रवृत्त हैं, अवस्थिति को ध्यान में रखते हुए उक्त कारखाने को उक्त अधिनियम के अध्याय 5-क के अधीन उद्ग्रहणीय नियोजक के विशेष अभिदाय के सन्दाय से 16 मार्च, 1971 से 15 मार्च, 1972 तक जिसमें वह दिन भी सम्मिलित है, एक और वर्ष की कालावधि के लिए एतद्वारा छूट बेती है।

[सं० फा० 601/1/70-एच० आई०]

S.O. 2234.—Whereas the Central Government was satisfied that Visnagar Taluka Mazdoor Sahakari Mandli Limited, was situated in Visnagar area which was a sparse area (that is, an area whose insurable population was less than 500) in the district of Mehsana in the State of Gujarat;

And, whereas by virtue of its location in a sparse area, the aforesaid factory was granted exemption from the payment of the employers' special contribution under section 73F of the Employees' State Insurance Act, 1948 (34 of 1948) until enforcement of the provisions of Chapter V of the said Act in that area by the Central Government in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 2849 dated the 30th September, 1963;

And, whereas the Central Government is satisfied that the insurable population of the Visnagar area in the district of Mehsana in the State of Gujarat has now exceeded 500, and it is no longer a sparse area;

Now, therefore, in exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendment in the said notification, namely:—

In the Schedule appended to the said notification, against Serial No. 10, the entry "Visnagar" in column 3 and the corresponding entry thereto in column 4 shall be omitted.

[No. 603(1)/70-HI.]

फा० आ० 2234.—यतः केन्द्रीय सरकार का यह समाधान हो गया था कि विशनगर तालुका मजदूर सहकारी मण्डली लिमिटेड, विशनगर क्षेत्र में स्थित था जो गुजरात राज्य के मेहसाना जिले में बिखरी हुई आबादी का क्षेत्र (अर्थात् ऐसा क्षेत्र जिसकी बीमा योग्य आबादी 500 से कम थी) था;

और यतः नेउसकी बिखरी हुई आबादी के क्षेत्र में अवस्थिति के आधार पर केन्द्रीय सरकार ने उपर्युक्त कारखा को, भारत सरकार के भूतपूर्व श्रम और रोजगार मंत्रालय की अधिसूचना संख्या का आ० 2849, तारीख 30 सितम्बर, 1963 द्वारा कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 73-च के अधीन नियोजक के विशेष अभिदाय के सन्दाय से तब तक के लिए छूट दे दी थी जब तक कि उस अधिनियम के अध्याय 5 के उपबन्ध उस क्षेत्र में प्रवर्तित नहीं हो जाते।

और, यतः केन्द्रीय सरकार का यह समाधान हो गया है कि गुजरात राज्य के मेहसाना जिले में विशनगर क्षेत्र की बीमा योग्य आबादी अब 500 से बढ़ गई है, और वह अब बिखरी हुई आबादी का क्षेत्र नहीं है;

अतः, अब कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73-च द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उक्त अधिसूचना में और आगे निम्नलिखित संशोधन करती है, अर्थात् :—उक्त अधिसूचना से संलग्न अनुसूची में, क्रम संख्या 10 के सामने, स्तंभ 3 में "विशनगर" प्रविष्टि और स्तंभ 4 में तत्स्थानी प्रविष्टि का लोप कर दिया जायेगा।

[सं० फा० 603(1)/70 एच० आई०]

S.O. 2235.—Whereas the Central Government was satisfied that Messrs. Visnagar Co-operative Spinning Mills Limited, was situated in Visnagar area which was a sparse area (that is, an area whose insurable population was less than 500) in the district of Mehsana in the State of Gujarat;

And, whereas by virtue of its location in a sparse area, the aforesaid factory was granted exemption from the payment of the employer's special contribution under section 73F of the Employees' State Insurance Act, 1948 (34 of 1948) until enforcement of the provisions of Chapter V of the said Act in that area by the Central Government in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1814 dated the 17th May, 1968;

And, whereas the Central Government is satisfied that the insurable population of the Visnagar area in the district of Mehsana in the State of Gujarat has now exceeded 500, and it is no longer a sparse area;

Now, therefore, in exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby makes the following further amendment in the said notification, namely:—

In the Schedule appended to the said notification, against Serial No. 9, the entry "Visnagar" in Column 3 and the corresponding entry thereto in column 4 shall be omitted.

[No. 603(1)/70-HI.]

का० आ० 2235.—यतः केन्द्रीय सरकार का यह समाधान हो गया था कि मेसर्स विशनगर कोम्प्रापरेटिव स्पिनिंग मिल्स लिमिटेड विशनगर क्षेत्र में स्थित था जो गुजरात राज्य के मेहसाना जिले में बिखरी हुई आबादी का क्षेत्र (अर्थात् ऐसा क्षेत्र जिसकी बीमा योग्य आबादी 500 से कम थी) था;

और, यतः उसकी बिखरी हुई आबादी के क्षेत्र में अवस्थिति के आधार पर केन्द्रीय सरकार ने उपक्तयुक्त कारखाने को, भारत सरकार के श्रम, रोजगार और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० आ० 1814 तारीख 17 मई, 1968 द्वारा कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73-च के अधीन नियोजक के विशेष अभिदाय के सन्दाय से तब तक के लिए छूट दे दी थी जब तक कि उस अधिनियम के अध्याय 5 के उपबन्ध उस क्षेत्र में प्रवर्तित नहीं हो जाते;

और, यतः केन्द्रीय सरकार का यह समाधान हो गया है कि गुजरात राज्य के मेहसाना जिले में विशनगर क्षेत्र की बीमा योग्य आबादी अब 500 से बढ़ गई है, और वह अब बिखरी हुई आबादी का क्षेत्र नहीं है;

अतः, अब कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73-च प्रादत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उक्त अधिसूचना में और आगे निम्नलिखित संशोधन करती है अर्थात्:—

उक्त अधिसूचना से संलग्न अनुसूची में, क्रम संख्या 9 के सामने स्तम्भ 3 में "विशनगर" प्रविष्टि और स्तम्भ 4 में तत्स्थानी प्रविष्टि का लोप कर दिया जायेगा।

[सं० फा० 603/(1)/70-एच०आई०]

S.O. 2236.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 382 dated the 13th January, 1971 the Central Government having regard to the location of the Geophysical and Research and Training Institute Workshop, Dehradun belonging to the Oil and Natural Gas Commission in an area in which the provisions of Chapters IV and V of the said Act are in force, hereby exempts the said workshop from the payment of the employer's special contribution leviable under

Chapter VA of the said Act for a further period of one year with effect from the date of expiry of the period specified in the said Notification upto and inclusive of the 29th January, 1972.

[No. F. 602(32)/70-HL.]

का० आ० 2236.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73-च द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० आ० 382 तारीख 13 जनवरी, 1971 के क्रम में केन्द्रीय सरकार तेल और प्राकृतिक गैस अफ़ेयर की भूभौतिकीय और अनुसंधान तथा प्रशिक्षण संस्थान कर्मशाला, देहरादून की ऐसे क्षेत्र में, जिसमें उक्त अधिनियम के अध्याय 4 और 5 के उपबन्ध प्रवृत्त हैं, अवस्थिति को ध्यान में रखते हुए उक्त कर्मशाला को उक्त अधिनियम के अध्याय 5-क के अधीन उद्ग्रहणीय नियोजक के विशेष अभिदाय के सन्दाय से उक्त अधिसूचना में विनिर्दिष्ट अवधि की समाप्ति की तारीख से 29 जनवरी, 1972 तक जिसमें वह दिन भी सम्मिलित है, एक और वर्ष की कालावधि के लिए एतद्वारा छूट देती है।

[सं० का० 602(32)/70-एच०आई०]

New Delhi, the 27th May 1971

S.O. —In pursuance of clause (a) of sub-section (1) of Section 3A of the Coal Mines Provident Fund, Family Pension and Bonus Schemes Act, 1948 (46 of 1948), read with sub-paragraph (1) of paragraph (9) of the Coal Mines Provident Fund Scheme, the Central Government hereby appoints the Additional Secretary to the Government of India, Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) as the Chairman of the Board of Trustees with effect from the 26th May, 1971 and makes the following further amendment in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2451, dated the 17th July, 1967, namely:—

In the said notification for the entry against serial No. 1, the following entry shall be substituted, namely:—

"The Additional Secretary to the Government of India, Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), New Delhi. CHAIRMAN".

[No. 4(5)/67-PF-I.]

नई दिल्ली, 27 मई, 1971

का० आ० 2237.—कोयला खान भविष्य निधि स्कीम के पैरा 9 के उप पैरा (1) के साथ पठित कोयला खान भविष्य निधि परिवार पेंशन और बोनस स्कीम अधिनियम, 1948 (1948 का 46) की धारा 3-क की उपधारा (1) के खण्ड (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा अपर सचिव, भारत सरकार, श्रम रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) को 26 मई, 1971 से न्यासी-बोर्ड का अध्यक्ष नियुक्त करती है और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० आ० 2451, तारीख 17 जुलाई, 1967 में और आगे निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, क्रम संख्या 1 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि प्रतिस्थापित की जाएगी, अर्थात् :—

"अपर सचिव, भारत सरकार, श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग), नई दिल्ली—अध्यक्ष"

[सं० 4(5)/67-पी० एफ० I]

S.O. 2238.—Whereas the Central Government is satisfied that the employees' of the Government Opium and Alkaloids Works, Ghazipur, are otherwise in receipt of benefits substantially similar to the benefits provided under the Employees' State Insurance Act, 1948, (34 of 1948);

Now, therefore, in exercise of the powers conferred by section 90 of the said Act the Central Government, after consultation with the Employees' State Insurance Corporation, hereby exempts the above mentioned factory from all the provisions of the said Act for a period of three years with effect from 1st July, 1968 upto and inclusive of the 30th June, 1971,

[No. F. 601(39)/70-HL.]

का० प्रा० 2238.—यतः केन्द्रीय सरकार का समाधान हो गया है कि सरकारी अफीम और ऐल्केलाइड्स कर्मशाला, गाजीपुर, के कर्मचारियों को कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) के अधीन उपबन्धित प्रमुविधाओं को सारतः समरूप प्रमुविधाएं अन्यथा प्राप्त हैं ;

अतः अब, उक्त अधिनियम की धारा 90 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, कर्मचारी राज्य बीमा निगम से परामर्श करने के पश्चात् ऊपर वर्णित कारखाने को उक्त अधिनियम के सभी उपबन्धों से प्रथम जुलाई, 1968 से 30 जून, 1971 तक जिसमें वह दिन भी सम्मिलित है तीन वर्ष की अवधि के लिए एतद्वारा छूट देती है।

[सं० फा० 601(39)/70-एच० आई०]

S.O. 2239.—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1887 dated the 22nd April, 1971, the Central Government hereby exempts the National Instruments Limited, Calcutta, from all the provisions of the said Act for a further period of one year with effect from the date of expiry of the period specified in the said notification.

2. This notification shall be deemed to have come into force on the 13th day of November, 1970.

[No. F. 601(34)/70-HL.]

एस० आ० 2239—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय, (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० प्रा० 1987 तारीख 22 अप्रैल, 1971 के क्रम में केन्द्रीय सरकार नेशनल इन्स्ट्रुमेन्ट्स लिमिटेड, कलकत्ता को उक्त अधिनियम के सभी उपबन्धों से उक्त अधिसूचना में विनिर्दिष्ट अवधि की समाप्ति की तारीख से एक और वर्ष की अवधि के लिए एतद्वारा छूट देती है।

2. यह अधिसूचना नवम्बर, 1970 के तेरवें दिन प्रवृत्त हुई समझी जाएगी।

[सं० फा० 60/(34)/70-एच० आई०]

S.O. 2240.—In pursuance of clause (a) of sub-section (1) of section 5A of the Employees' Provident Funds Act and Family Pension Fund Act, 1952, the Central Government hereby appoints, with effect from the 28th May, 1971, the Additional Secretary to the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), as the Chairman of the Central Board of Trustees, Employees' Provident Fund and makes the following amendment in the notification of the Government of

India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment, as the Chairman of the Central Board of Trustees, Employees' Provident Fund and makes the following amendment in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2412 dated the 6th July, 1970, namely:—

In the said notification for the entry against serial number 1, the following entry shall be substituted, namely:—

“The Additional Secretary to the Government of India, Ministry of Labour, Employment and Rehabilitation, (Department of Labour and Employment), New Delhi.

[No. 12(5)/69-PF.II.]

DALJIT SINGH, Under Secy.

का० आ० 2240 कर्मचारी भविष्य निधि तथा परिवार पेंशन निधि अधिनियम, 1952 (1952 का 19) को धारा 5-क की उपधारा (i) के खण्ड (क) के अनुसूचन में केन्द्रीय सरकार एतद्वारा अपर सचिव, भारत सरकार, श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) को 26 मई, 1971 से केन्द्रीय न्यासी बोर्ड, कर्मचारी भविष्य निधि, का अध्यक्ष नियुक्त करती है और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) को अधिसूचना सं० का० आ० 2412 तारीख 6 जुलाई, 1970 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में क्रम संख्या 1 के सामने की प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि प्रतिस्थापित की जाएगी, अर्थात्:—

“अपर सचिव, भारत सरकार, श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग), नई दिल्ली।

[सं० 12(5)/69-पी०एफ०-2]

दलजोत सिंह, अपर सचिव

(Shram Aur Rozgar Vibhag)

New Delhi, the 22nd May 1971

S.O. 2241.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the National Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the Air India and Indian Airlines and their workmen, which was received by the Central Government on the 13th May, 1971.

BEFORE THE NATIONAL INDUSTRIAL TRIBUNAL, NEW DELHI

REFERENCE No. NIT-1 of 1970

In the matter of an industrial dispute between the employers in relation to the Air-India and the Indian Airlines and their workmen as represented by:—

- (1) Air Corporation Employees' Union, New Delhi.
- (2) Air-India Inspectors' Association, Bombay.
- (3) Air-India Staff Association, Bombay.

PRESENT:

The Hon'ble Shri M. Chandra, retired Judge, Allahabad High Court, Presiding Officer.

APPEARANCES:

For the Employers.—Shri Sohrab Vimalal, Barrister-at-Law, with Sarvashri S. K. Wadia, Solicitor, S. K. Nanda, Chief Personnel Manager, J. Mahajan, Advocate for Air-India.

Shri G. B. Pal, Advocate, with Sarvashri O. C. Mathur, Advocate, and N. R. Kulkarni, Industrial Relations Officer, for Indian Airlines

For the Employees.—Shri P. K. Majumdar, with Shri V. M. Fernandes, for Air Corporation Employees' Union.

Shri H. P. Bhopatkar, for Air-India Staff Association.

Shri K. S. Mani, for Air-India Inspectors Association.

(Application No. Misc./NIT-70/11 filed jointly by the Air-India and the Air Corporation Employees' Union).

AWARD

PART I

This is an application filed jointly on behalf of Air India and the Air Corporation Employees' Union (hereinafter called ACEU) to the effect that they have reached a settlement with regard to the demands of the ACEU on Air India and the Air India's demands on the ACEU in respect of categories other than the Cabin Crew and the technical categories of the staff. They pray that a consent award be given by this Tribunal in terms of the settlement dated the 18th March, 1971 (a copy of which they have filed).

This National Industrial Tribunal was set up by the Government of India by their Notification No. S.O. 3639 dated November 2, 1970. By another Notification No. 4/82/70/LI-III(i) of the same date, the Government of India referred to this Tribunal for adjudication the dispute between the Air India and the Indian Airlines and their workmen in respect of the demands of the ACEU relating to pay scales, dearness allowance and other allowances, and service conditions. The demands of the two Corporations i.e. Air India and the Indian Airlines relating to efficiency, productivity and discipline were also referred to this Tribunal by the same Notification. Copies of these Notifications are appended as Annexures I and II respectively.

The parties to the proceedings were Air India and Indian Airlines and their workmen who were originally represented by the ACEU. Two Associations viz. Air India Inspectors Association, Bombay and the Air India Staff Association, Bombay filed applications for being impleaded as parties to the dispute. The Air India Inspectors Association claimed that they had 90 per cent membership in the category of Inspectors of Air India, were a trade-union representing Inspectors in that Corporation and were consequently entitled to be made a party to the dispute to look after the interests of their members since the category of Inspectors was covered by the reference. The Air India Staff Association alleged that they were a registered trade-union and as such entitled to represent the categories of staff on their membership as the reference concerned those workmen also whom they represented.

The contention of the Air India, on the other hand, was that the Order of Reference related only to the demands of the ACEU and that in the first place these two Associations were not entitled to take part in the proceedings and that even if they were allowed to do so, they could only support the demands made by the ACEU and could not put forward any demands contrary to those of ACEU. It is true that the first part of the reference related only to the demands of the ACEU. But the two Associations could not be debarred from taking part in the proceedings on that ground. Under Section 18 of the Industrial Disputes Act, 1947, any award made in this case would also bind the members of these two Associations. Under Section 36(1) of the said Act, a workman who is a party to the dispute, is entitled to be represented by an officer of a registered trade-union of which he is a member. Moreover, under part 2 of the Schedule to the Order of Reference a number of demands of Air India regarding efficiency, productivity and discipline have also been referred for adjudication and would cover the workmen represented by these two Associations. The members of these Associations could not be denied their right to meet the management's demands concerning them. For this reason also the two Associations could not be excluded from appearance and participation in the proceedings. They were consequently allowed by my orders dated 30th January, 1971 and 2nd March, 1971 to appear and take part in the proceedings subject to the limitations set by the wording of Part I of the Schedule to the Order of Reference.

The evidence of the ACEU was to commence on the 1st April, 1971. Before that date, however, the joint application praying for a consent award in terms of the settlement dated the 18th March, 1971 was made. The details of the settlement

are set out in the copy of the settlement annexed thereto. The application as well as the settlement are reproduced below in full:—

APPLICATION No. MISC./NIT-1/70/11

BEFORE THE NATIONAL INDUSTRIAL TRIBUNAL, NEW DELHI

The Presiding Officer,
National Industrial Tribunal,
New Delhi.

REFERENCE NIT-1 OF 1970

SUBJECT.—*In the matter of Reference under sub-section (1-A) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947).*

PARTIES

Employers in relation to:

- (1) Air-India
- (2) Indian Airlines.

AND

Their workmen as represented by the Air Corporations Employees' Union.

MAY IT PLEASE YOUR LORDSHIP

The parties, Air-India and the workmen as represented by Air Corporation Employees' Union, respectfully submit as follows:

We, Air-India and Air Corporations Employees' Union, parties in the above mentioned reference, have reached a Settlement in regard to Air Corporations Employees' Union's demand on Air-India and the Air-India's demands on the Air Corporations Employees' Union in respect of all categories other than Cabin Crew and Technical Categories of staff. A copy of the Settlement is enclosed. We both pray that the Honourable Tribunal may be pleased to give the consent award in the terms of the above Settlement.

Dated at Bombay, the 18th day of March, 1971.

Witnesses:

1. Sd./- G. CLEMENT
2. Sd./- V. N. MALAYA

For and on behalf of Air-India

1. Sd./- S. K. NANDA
2. Sd./- K. A. SAPAT

For and on behalf of Air Corporations Employees' Union

1. Sd./- S. K. ROY CHOUDHURY
2. Sd./- M. H. HEGISTE

1. Sd./- P. K. MAZUMDAR
2. Sd./- V. M. FERNANDES

18-3-71

Name of parties: Air-India

AND

Air Corporations Employees' Union

Representing Employers: (i) Mr. K. K. Unni, Assistant General Manager, Air-India.

(ii) Mr. S. K. Nanda, Chief Personnel Manager, Air-India

Representing Workmen: (i) Mr. P. K. Mazumdar, General Secretary, Air Corporations Employees' Union.

(ii) Mr. V. M. Fernandes, Joint Secretary, Air Corporations Employees' Union.

WHEREAS:

(a) the Air Corporation Employees' Union (hereinafter referred to as "the Union") submitted a Charter of Demands on Air-India (hereinafter referred to as "the Management") with its letter dated 15th July, 1969, in respect of certain categories of workmen excluding the Cabin Crew and also another Charter of Demands with its letter dated 31st August, 1970, in respect of the Cabin Crew only;

(b) the Management with its letter dated 28th October, 1969, served on the Union a list of certain measures for obtaining increased efficiency and productivity and for better utilisation of manpower;

(c) several meetings were held from time to time between the Management and the Union in respect of the said Charters of Demands and the said measures suggested by the Management, but no agreement could be reached between the parties;

(d) as a result the respective demands of the Union and the Management were gested by the Management, but no agreement could be reached between the parties; Conciliation Officer submitted his failure report to the Central Government;

(e) by its Order dated 2nd November, 1970, the Government of India, Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) referred the matter to the National Industrial Tribunal (Reference No. F. 12-I of 1970) for adjudication in respect of the demands of the Union and the Management mentioned in the Order of Reference;

(f) after the Reference was made to the National Industrial Tribunal, the Management and the Union resumed negotiations and as a result thereof the Management and the Union have arrived at the settlement herein contained.

Now therefore it is hereby agreed and declared by and between the parties hereto as follows:

1. This settlement is only in respect of the categories of workmen in the following existing scales of pay:—

- (i) Rs. 100—5—150—10—190
- (ii) Rs. 150—10—200—15—230
- (iii) Rs. 200—15—245—20—345
- (iv) Rs. 230—15—245—20—335—25—435
- (v) Rs. 150—10—200—15—245—20—285—25—510
- (vi) Rs. 325—25—325—26—560—40—840 (Non-technical categories only)
- (vii) Rs. 325—25—560—40—720
- (viii) Rs. 435—25—560—40—720—80—870

and is in full and final settlement of the Charter of Demands submitted by the Union with its letter dated 15th July, 1969, and the demands of the Union set out in the Order of Reference dated 2nd November, 1970, insofar as the same relate to the abovementioned categories of workmen. The term "workmen" wherever used in this settlement shall mean the above-mentioned categories of workmen.

1.1. In respect of demands of the Union pertaining to categories not covered under this settlement and the Management's demands in respect of such categories, no settlement has been reached.

2. Scales and Grades of Pay:

2.1. With effect from 1st March, 1971, the following modifications in the scales of pay of the categories indicated below shall be made:

- (a) the existing scale of pay of Rs. 100—5—150—10—190 insofar as it is applicable to Cooks only, viz. Rs. 130—5—150—10—190, shall be modified as Rs. 130—5—150—10—200—15—230.
- (b) The scale of pay of Rs. 150—10—200—15—230 insofar as it is applicable to Head Cooks shall be modified as Rs. 150—10—200—15—245—20—285.
- (c) The existing scale of pay of Rs. 150—10—200—15—230 insofar as it is applicable to Drivers and the existing scale of pay of Rs. 200—15—245—20—345 insofar as it is applicable to Senior/Head Driver shall be interlinked to constitute the scale of Rs. 150—10—200—15—245—20—435.
- (d) The existing scale of pay of Rs. 150—10—200—15—245—20—385—25—510 and the existing scale of pay of Rs. 325—20—385—25—560—40—640 shall be interlinked to constitute the scale of Rs. 150—10—200—15—245—20—385—25—560—40—640.

2.2. Except to the extent hereinabove provided there shall be no change in the scales of pay applicable to the workmen and the Union drops and gives up its demands in respect thereof.

2.3. All the workmen in the scales of pay referred to in Clause 1 hereof shall be granted a "Special Allowance" equivalent to 15 per cent of their emoluments which

at present count as 'pay' for the purpose of the Air-India Employees' Provident Fund Regulations, 1954, subject to the following minima:

- (a) Rs. 60 per month in the case of workmen drawing basic pay upto Rs. 149 per month;
- (b) Rs. 80 per month in the case of workmen drawing basic pay of Rs. 150 and above per month.

2.4. The "Special Allowance" will be calculated on the actual "pay" drawn at each stage of the applicable pay scale. In the case of workmen drawing secondary increments, the Special Allowance will be calculated on the basis of the actual 'pay' drawn.

2.5. The 'Special Allowance' referred to above shall not be taken into account for consideration, for the purpose of any other allowances or emoluments or for any purpose whatsoever except for the purpose of overtime payment, licence fee for the use of accommodation provided by the Corporation and Provident Fund.

2.6. The 'Special Allowance' shall be paid with effect from 1st April, 1969.

2.7. The ad-hoc payment of Rs. 40 per month already made to the workmen under Staff Notice No 14/69-70 dated 4th February, 1970, and further such payments which may be made hereafter shall be adjusted in their entirety against the Special Allowance payable to the workmen under this agreement, and further the Ad-hoc payment of Rs. 40 per month shall be discontinued thereafter.

3. Transport Allowance:

With effect from 1st April, 1969, the workmen shall be granted a Transport Allowance at the following rates:—

- (a) Rs. 30 per month to workmen drawing basic pay upto Rs. 229 per month;
- (b) Rs. 35 per month to workmen drawing basic pay of Rs. 230 and above per month.

4. Washing Allowance:

4.1. Workmen who are provided with uniforms by the Corporation shall be said a Washing Allowance at the revised rate of Rs. 8 per month with effect from 1st March, 1971, provided that in cases in which washing facilities are provided by the Corporation the payment of the allowance will have effect from the date from which such facility is discontinued.

5. Driving Allowance:

Workmen in the grade of Rs. 100—5—150—10—190, who are at present granted a Driving Allowance at the rate of Re. 1 per working day for driving Corporation's heavy vehicles/equipment and such of those Loading Supervisors in the grade of Rs. 150—10—200—15—230 who may be required to drive such heavy vehicles/equipment shall be paid such allowance at the rate of Rs. 2 per working day. This will have effect from 1st March, 1971. Other conditions regarding the grant of this allowance shall remain unchanged. Except as amended herein the Union drops and gives up its demand in respect of driving allowance.

6. Leave Facilities:

It is agreed that Special Sick Leave admissible under Regulation 24A(1)(b) of the Air-India Employees' Service Regulations may be accumulated up to a maximum limit of 180 days at a time instead of 180 days during the entire period of service of the workmen. Other conditions regarding the grant of such leave shall remain unchanged.

7. The Union hereby drops and gives up its demands pertaining to Dearness Allowance, Outstation Allowance, Resettlement Allowance, House Rent Allowance, Conveyance Allowance, Children Allowance, Graduate Allowance, Machine Allowance, Cash Handling Allowance, Duty Allowance, Rifle Allowance, Overtime Payment, Leave facilities, Railway fare, Air Passages, Promotions, Insurance Coverage/Compensation, retirement date, retirement benefits and Secondary increments.

8. Privilege Leave:

The Union agrees that Privilege Leave shall be availed of only with prior permission and on not more than 3 occasions in a financial year. The number of days of Privilege Leave on each occasion shall not be less than 5 days in the case of those working for a 5 day week and 6 days in the case of others. In special circumstances where Privilege leave has to be availed of on more than 3 occasions due to unforeseen circumstances, an immediate report shall be made to the sanctioning authority and the grant of such leave shall be at the discretion of such authority.

9. The Union agrees that the workmen shall perform all duties which are incidental to their main duties.

10. The Union concedes the necessity of measures of rationalisation and the Management's right to introduce such measures so as to improve the Corporation's overall standards of efficiency, to reduce costs and to step up its productivity in the larger interests of employees, Corporation and the country.

11. The Union agrees to observe constitutional means and to eschew agitational steps and/or concerted actions or any other means which may have the effect of interrupting or disrupting the work of the Corporation and/or the normal functioning of the various sections and departments and/or the operation of the services of the Corporation or which may have the effect of causing delays to the Corporation's services or inconvenience to its passengers and the public.

12. The Union agrees that it will fully and wholeheartedly co-operate with the Management in maintaining discipline, increasing efficiency and improving productivity.

13. The Union agrees that no demand in respect of the categories of workmen mentioned in clause 1 hereof which is either dropped or omitted from this settlement involving financial commitment on the part of the Corporation will be submitted during the pendency of this settlement.

14.1. Except as specified in Clauses 2, 3, 4 and 5, this Agreement shall not have any retrospective effect.

14.2. No payment due or made prior to this agreement coming into force on the basis of emoluments already drawn by the workmen covered by this agreement shall be recalculated on the basis of emoluments as now increased. Similarly, no recovery shall be made from the workmen towards difference in licence fees for staff quarters occupied by them from a date prior to this Agreement coming into force.

15. *Period of Agreement:*

This agreement will remain in force till 31st March, 1973.

16. The parties hereto agree that they will make joint application to the National Industrial Tribunal praying that a consent award may be passed in terms of this Settlement.

Dated this 18th day of March 1971.

Witnesses:

- (1) (Sd.) C. V. R. RAO.
- (2) (Sd.) K. A. SAPAT.
- (3) (Sd.) S. ALMEIDA.
- (1) (Sd.) S. K. ROY CHOWDHURY.
- (2) (Sd.) M. H. HEGISTE.
- 18-3-71.
- (3) (Sd.) M. R. SHAH.

For the Employers

- (1) (Sd.) K. K. UNNI,
- Assistant General Manager, Air-India.
- (2) (Sd.) S. K. NANDA,
- Chief Personnel Manager, Air-India.
- (1) (Sd.) P. K. MAZUMDAR,
- General Secretary, ACEU.
- (2) (Sd.) V. M. FERNANDE,
- Joint Secretary, ACEU.
- For the Workmen"

The Air India and the ACEU verified the settlement. The representative of the Air India Inspectors Association stated at the hearing that he had nothing to say against the settlement as it did not concern them. Similarly, the counsel for the Indian Airlines had no objection to the settlement since it did not concern them. The Air India Staff Association also agreed to the settlement arrived at.

The settlement is only in respect of categories of workmen in the scales mentioned in clause 1 thereof and is in full and final settlement of the demands of ACEU insofar as they relate to the above mentioned categories of workmen only.

The scales of pay of Cooks and Head Cooks have been improved to their advantage. The existing scale of pay of Rs. 150-10-200-15-230 applicable to

the Drivers and the existing scale of pay of Rs. 200—15—245—20—345 applicable to Senior/Head Drivers are to be interlinked to constitute the scale of Rs. 150—10—200—15—245—20—345. Similarly, the existing scale of pay of Rs. 150—10—200—15—245—20—385—25—510 and the existing scale of pay of Rs. 325—20—385—25—560—40—640 are to be interlinked to constitute the scale of Rs. 150—10—200—15—245—20—385—25—560—40—640. This interlinking of the scales is certainly of benefit to these categories of workmen. The workmen referred to in clause 1 of the settlement have also been granted a Special Allowance equivalent to 15 per cent of their emoluments which at present count as 'pay' for the purpose of the Air India Employees Provident Fund Regulations 1954, subject to the following minima:—

- (a) Rs. 60 per month in the case of workmen drawing basic pay upto Rs. 140 per month.
- (b) Rs. 80 per month in the case of workmen drawing basic pay of Rs. 150 and above per month.

For calculation of the Special Allowance, certain conditions are mentioned in clause 2(4) of the settlement. It is not to be taken into account or consideration for the purpose of any other allowances or emoluments or for any purpose whatsoever except for the purpose of overtime payment, licence fee for the use of accommodation provided by the Corporation and Provident Fund. Despite these limitations the Special Allowance is of benefit to the workmen. It is to be paid with effect from the 1st April, 1969. The transport allowance proposed under clause 3 of the settlement is also of benefit to the workmen. So are the revised rates of washing allowance, driving allowance and the leave facilities.

In the settlement the union has, on its part, agreed to drop and give up demands pertaining to certain items which are not covered by the settlement. The ACEU has also agreed that the workmen shall perform all duties incidental to their main duties and have conceded the necessity of measures of rationalisation and the management's right to introduce such measures so as to improve the Corporation's overall standard of efficiency, to reduce costs and to step up its productivity. They have further agreed to observe constitutional means and to eschew agitational steps and/or concerted actions or any other means which may have the effect of interrupting or disrupting the work of the Corporation and/or the normal functioning of various sections and departments and/or the operation of the services of the Corporation or which may have the effect of causing delays to the Corporation's services or inconvenience to the passengers and the public. They have further agreed to cooperate fully and wholeheartedly with the management in maintaining discipline, increasing efficiency and improving productivity.

It is note-worthy that this settlement does not resolve the entire dispute covered by the Order of Reference since it leaves out of consideration the Cabin Crew and the technical categories of the staff employed under Air India. Moreover, it leaves out completely the dispute concerning the demands of ACEU on Indian Airlines and of the latter on the ACEU. But the fact that the settlement resolves the dispute only partly does not vitiate it in any manner. On the other hand, it is hoped and expected that this settlement may pave the way for further settlement or settlements for resolving the rest of the dispute covered by the Order of Reference.

There is not the slightest doubt that while the settlement benefits the workmen, their response to the demands of the Air India concerning the matters mentioned above is also in the interests of the employees, the Corporation and the country as a whole. The settlement is not unlawful and will benefit both the Air India and their workmen covered by the settlement.

The joint Application No. Misc./NIT-1/70/11 filed by the ACEU and the Air India is, therefore, allowed and the settlement of the 18th March, 1971 referred to above filed with this application is ordered to be recorded.

I make an award in terms of the settlement which shall form part of the award. In the circumstances of the case I make no order to costs. Let the award be submitted to the Central Government as "Award Part I" since the dispute still survives between the Air India and its workmen in respect of categories not covered by the settlement of 18th March 1971 and also between the Indian Airlines and their workmen in respect of the demands of the ACEU and the management.

Separate award or awards in respect of the unresolved part of the dispute will follow.

(Sd.) M. CHANDRA,
Presiding Officer.

National Industrial Tribunal.

NEW DELHI :

Dated, May 10, 1971.

ANNEXURE I

(To be Published in Part II Section 3 Sub-Section (ii) of the Gazette of India Extraordinary dated 2nd November, 1970)

GOVERNMENT OF INDIA

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(Department of Labour and Employment)

NOTIFICATION

New Delhi, the 2nd November, 1970

S.O. 3639.—In exercise of the powers conferred by section 7B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes a National Industrial Tribunal with headquarters at New Delhi and appoints Shri Mahesh Chandra, Presiding Officer, Central Government Industrial Tribunal, Jabalpur as the Presiding Officer of the said National Industrial Tribunal.

[No. 4/82/70/LRIII(i).]

ANNEXURE II

ORDER

New Delhi, the 2nd November, 1970

S.O. 3640.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Air India and the Indian Airlines and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the said dispute involves questions of national importance and the dispute is also of such a nature that industrial establishments of Air India and the Indian Airlines situated in more than one State are likely to be interested in, or affected by, such dispute;

And, whereas the Central Government is of opinion that the said dispute should be adjudicated by a National Tribunal;

Now, therefore, in exercise of the powers conferred by sub-section (1A) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute to the National Tribunal constituted by the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3639 dated the 2nd November, 1970 for adjudication.

SCHEDULE

I. Whether the demands of the Air Corporation Employees Union in respect of the following matters are justified? If so, to what relief are they entitled?
Air India

1. Scales and Grades of Pay.
2. Dearness Allowance.
3. Outstation Allowance.
4. Re-settlement Allowance.
5. House Rent Allowance.
6. Conveyance Allowance.
7. Children Allowance.
8. Washing Allowance.
9. Driving Allowance.
10. Graduate Allowance.
11. Machine Allowance.
12. Cash Handling Allowance.
13. Duty Allowance.
14. Rifle Allowance.
15. Overtime Payment.
16. Technical Pay.

17. Leave Facilities.
18. Railway Fare.
19. Air Passage.
20. Promotions.
21. Insurance Coverage/Compensation.
22. Retirement Age.
23. Retirement Benefit.
24. Secondary Increment.
25. Retrospective Application.
26. Special Items for Cabin Crew.
 - (i) Efficiency Bonus.
 - (ii) Jet Allowance.
 - (iii) Overseas Operational Allowance.
 - (iv) Excess Flying Pay.
 - (v) Laundry Allowance.
 - (vi) Language Allowance.
 - (vii) Compensatory Allowance.
 - (viii) Beauty Care Allowance.
 - (ix) Bar Sales Allowance.
 - (x) Safe Custody Allowance.
 - (xi) Special Travelling Allowance.
 - (xii) Layover Allowance.
 - (xiii) Outstation Allowance.
 - (xiv) Publicity Allowance.
 - (xv) Accompanying Allowance.
 - (xvi) Ferry Operations.
 - (xvii) Non-Air India Assignment Allowance.
 - (xviii) Training Allowance.
 - (xix) Uniforms.
 - (xx) Passage for Travel on Duty.

Indian Airlines

1. Pay scales.
2. Dearness Allowance.
3. Fitment.
4. Technical Pay.
5. House Rent Allowance.
6. Transport Allowance.
7. Meal Allowance.
8. Washing Allowance.
9. Education Allowance.
10. Graduate Allowance.
11. Flight Allowance.
12. Transfer to outstations.
13. Charge Allowance.
14. Stay Over Allowance.
15. Family Medical Benefit.
16. Voluntary Pension Scheme.
17. Uniform.
18. Leave.
19. Secondary Increment.
20. Overtime Allowance.
21. Duty Hours.
22. Promotional Avenues/Standard Force.
23. Bonus (*Ex-gratia*).
24. Compensation for Early Voluntary Retirement.
25. Retirement.
26. Air Passage.

II. Whether the demands of the management of Indian Airlines and Air India in respect of the following matters for increasing efficiency, productivity and discipline are justified? If so, what directions are required in these matters?

Indian Airlines.

1. Rules for increase in productivity.
2. Revision of Canteen Tariff and hours of opening and closing canteens.

3. Schedule of Uniforms, quality of cloth, stitching and supply of uniforms. Liability of employees to come to work in full uniforms.
4. Change in the existing Settlement dated 1st February, 1967 regarding procedure for recruitment to the Officers' Grade.
5. Introduction of 5 Day Week in the Administrative Offices of the Corporation.
6. Procedure for filling up vacancies of Charge Hand and Examiner.
7. Rationalisation of facilities being given to the Union.
8. Introduction of a Grievance Procedure.
9. Change in the method of fixing initial pay on appointment of an existing employee to a higher grade.
10. Transfer of employees from one cadre to another.
11. Finalisation of festival holidays.

Air-India

1. Shift System.
2. Transfer.
3. Officiating.
4. Closing Work.
5. Leaving Workplace during office Hours.
6. Female Staff.
7. Union Staff, Representatives of Labour Welfare Committee, Housing Colony.
8. Identification Badges.
9. Permanent Loan Items.
10. Leave, Offs.
11. Over Stayal.
12. Overtime.
13. Holidays.
14. Transport.
15. Staff at the Airports.
16. Cabin Crew.
17. Others.

[No. 4/82/70-LR.II(ii).]

R. ANANDAKRISHNA, Jt. Secy.

New Delhi, the 24th May, 1971

S.O. 2242.—In exercise of the powers conferred by section 7 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes a Labour Court with headquarters at Guntur for the adjudication of industrial disputes relating to any matter specified in the Second Schedule to the said Act and for performing such other functions as may be assigned to it under the said Act, and appoints Shri M. Ramamurthy Raju as the presiding officer of that Court.

(श्रम और रोजगार विभाग)

नई दिल्ली, 24 मई, 1971

फा० आ० 2242.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा एक श्रम न्यायालय, उक्त अधिनियम की द्वितीय अनुसूची में विनिर्दिष्ट विषयों में से किसी से संबंधित औद्योगिक विवादों के न्यायनिरणयन के लिए और ऐसे अन्य, कृत्यों का पालन करने के लिए, जो उसे उक्त अधिनियम के अधीन सौंपे जाएं, गठित करती है जिसका मुख्यालय गुंटूर होगा और श्री एम० राममूर्ती राजू को उक्त न्यायालय का पीठासीन अधिकारी नियुक्त करती है।

[सं० फा० 1/52/70-एल और I.]

New Delhi, the 26th May 1971

S.O 2243.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the National and Grindlays Bank Limited and their workmen, which was received by the Central Government on the 22nd May, 1971.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL: DELHI.

PRESENT:

Shri R. K. Baweja, Central Government Industrial Tribunal, Delhi.

14th May, 1971

CG.I.D. No. 8 of 1970

BETWEEN

The employers in relation to the National and Grindlays Bank Limited, Parliament Street, New Delhi.

AND

Their workmen as represented by National and Grindlays Bank Staff Association, 10, Parliament Street, New Delhi.

Shri K. K. Khullar—for the bank.

Shri J. B. Kayshap—for the workmen/Association.

AWARD

By S.O. No. 23/117/70-LR-III, dated the 10th of December, 1970, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred an industrial dispute existing between the employers in relation to the National and Grindlays Bank Limited (hereinafter to be referred as bank), and their workmen for adjudication to this Tribunal with the following term of reference:—

Whether the action of the management of National and Grindlays Bank Limited in withdrawing the offer made to Shri Hanuwant Singh, Cash Peon at the Bank's branch at Asaf Ali Road, New Delhi to perform the duties of a Bill Collector with effect from the 1st of July, 1970 and entrusting the same duties to Shri Ran Singh, Chowkidar, was justified? If not, to what relief Shri Hanuwant Singh is entitled?"

2. In the statement of claim filed by the National and Grindlays Bank Staff Association, 10- Parliament Street, New Delhi-1 (hereinafter to be referred as the Association), on behalf of the workman, it was alleged that Shri Hanuwant Singh joined the Bank's service as a peon in 1962 and was made cash peon on the 18th of March, 1970. He was called upon to perform the duty of bill-collector on several occasions, when the permanent incumbent proceeded on leave and also performed the duty of a daftri occasionally. The Association further stated that according to the practice in the bank and in view of the consideration of seniority and experience, the bank issued a letter dated the 18th of June, 1970 to the concerned workman requiring him to perform the duties of a bill collector with effect from the 1st of July, 1970, but subsequently the bank under the pressure of the majority union and with scant regard for its own practice and conventions required Shri Ran Singh, a chowkidar to perform the duties of bill collector. This order of the bank in withdrawing the offer which was made to Shri Hanuwant Singh, cash peon on the 18th of June, 1970 was described as discriminatory, illegal and unjust, and it was prayed that the bank be directed to post Shri Hanuwant Singh as bill collector with retrospective effect from the 1st of July, 1970 and also to make him the payment of allowance in arrears.

3. The bank, however, raised a preliminary objection that the present was not an industrial dispute as the subject-matter covered by the term of reference was beyond the ambit of the definition of industrial dispute. On merits, it was admitted that on the 18th of June, 1970 a letter was issued to the concerned workman to perform the duty of a bill collector with effect from the 1st of July, 1970. It was further added that the watchmen and peons were part of the same broad classification and that the chowkidars could also be considered for the duty of a daftri, bill-collector and cash-peons. Shri Ran Singh made a representation that as he was senior to the concerned workman, he was entitled to carry on the duty of a bill-collector which carried some allowance. It was further added that the entrustment of duties of a bill collector to Shri Ran Singh was an administrative act

which could not be challenged before the Industrial Tribunal unless *mala fides* on the part of the bank are established. The other allegation that the bank acted under the pressure of the majority union and paid scant regard to its own practices and conventions was vehemently denied. A rejoinder was also filed by the Association in reply thereto.

4. On the above pleadings of the parties, the following issues were framed:—

- (1) Whether the subject-matter indicated in the schedule to the order of reference is not an industrial dispute for the reasons given in the preliminary objections?
- (2) As in the term of reference.

Issue No. 1:

5. The bank did not adduce any evidence on this issue as to how the dispute was not an industrial dispute. It relates to the terms of employment and the conditions of service and there is a difference between the employer and the employee. The other objection raised in the written statement that it was an individual dispute and had not been converted into an industrial dispute is also without any substance. Shri J. B. Kayshap, President of the Association appeared before me and deposed that in December, 1970, 115 employees of the bank were the members of his Association. He brought the minutes book of the Association and the resolution authorising it to take up the case of the workman. He also added that the workman orally complained to the Association that he had been discriminated against and so, the Association passed a resolution on the 2nd of July, 1970 and then sent a communication on the 22nd of July, 1970 to the bank in which the case of the concerned workman was taken up. It is, therefore, obvious that the individual dispute had been converted into an industrial dispute by the Association taking up the case of the workman and it is also clear that an appreciable number of workmen of the bank are the members of this Association. It seems that for that reason, the bank did not adduce any evidence on this issue which is decided against it.

Issue No. 2 (Term of Reference):

6. The facts in this case are not in dispute. Shri Hanuwant Singh was appointed a peon and then was appointed a cash peon on the 18th of March, 1970. He was paid Rs. 7/- as special allowance for performing those duties *vide* letter Ext. M/2. It is also not denied by the bank that on previous occasions, whenever a post of a bill-collector or a daftiri fell vacant, the concerned workman was required to perform those duties. I may make it quite clear that the grade of the watchmen, peons and sweepers is the same and they have been classified as subordinate staff. If any of them is required to perform the duty of a cash-peon, daftiri or a bill-collector then a small allowance for performing those duties is given to him. For example, if a peon performs the duty of a cash-peon, he is given Rs. 7/- as cash-peon allowance. Similarly, if any member of the above staff performs the duty of a bill collector or a daftiri, he is paid some allowance. This is so provided in para. 5.3 of Chapter V of the bipartite settlement of October, 1966. The case of the Association is that as the workman was required on previous occasions to perform the duties of a bill-collector, the bank should have appointed him as such and after issuing the order dated the 18th of June, 1970, the bank should not have withdrawn the same. Shri J. B. Kayshap WW 1 president of the Association made a similar statement and to the same effect was the statement of the concerned workman. It was conceded by the Association that there was no provision in the Bipartite settlement, Desai award or the Sastry award that only a cash peon is required to perform the duty of a bill-collector. It was also not disputed that there are no rules to that effect in the bank. Shri K. K. Paruthi MW 1, manager of the Asaf Ali Road branch of the bank where the workman had been a cash-peon, on the other hand, deposed that there was no such convention or practice and further added that in the Connaught place branch a chowkidar was appointed a bill-collector though he did not remember his name. The allegation that the bank acted under the pressure of the other majority union and so withdrew its order previously passed by it in favour of the concerned workman was also denied. After going through this evidence, I am inclined to take the view that there is no truth in the allegation that the bank did so under the pressure of the majority union as was alleged in the statement of claim. By a letter dated the 18th of June, 1970 Ext. M/3, the workman was required to perform the duties of a bill collector w.e.f. 1st July, 1970 in terms of the settlement between the banking companies and their workmen arrived at on the 19th of October, 1966. It was further provided that in accordance with para. 5.6 of the said settlement, the special allowance was intended to compensate him for the performance or discharge of certain additional duties and functions requiring greater skill or responsibilities over and above his routine

duties as a peon. The manager further deposed that a representation was made by Shri Ran Singh who is an ex-service-man and was a chowkidar in the same branch of the bank. His representation was that as he was senior to Shri Hanuwant Singh, he should have been asked to perform the duty of a bill collector and should have been granted the said allowance. The witness states that on the 1st of July, 1970 by a letter Ext. M/4 the concerned workman was informed that a dispute had arisen as to his eligibility for that allowance and that the bank's letter dated the 18th of June, 1970 be kept pending till such time as the said dispute was resolved. This is also admitted by the workman in his statement, when he deposed that on the 1st of July, 1970 he was told verbally by the manager not to work as bill collector since the other union had raised a dispute and subsequently he was given the order which bears his signatures. The manager further stated that on the 3rd of September, 1970 the concerned workman was informed that the matter had since been finalised and that the bill collector's allowance could not be given to him, *vide* Ext. M/5. This part of the statement of the workman that in spite of those orders, he continued to perform the duties of a bill collector does not appeal to me. The manager denies it and also the documents. Anyway, this is not the question before me as to whether he has been actually performing the duties of a bill-collector as it is not within the scope of the term of reference. The only question for decision is if the withdrawal of the order requiring the workman to perform the duties of a bill-collector was justified or not. In view of the facts stated above, when no *mala fides* on the part of the bank have been proved and also when the allegation that it acted under pressure of the majority union has not been established, the bank was within its right to ask another senior man of the subordinate staff to perform the additional duty of a bill collector which carried some extra allowance. It was purely an administrative act and as neither the awards nor the Bipartite settlement provide that only a cash-peon is to be appointed as bill collector, the action taken by the bank cannot be assailed before this Tribunal. I shall, therefore, hold that the order of the bank was justified and the workman is not entitled to any relief in these proceedings. The award is made accordingly.

(Seven pages)

14th May, 1971.

(Sd.) R. K. BAWEJA,
Central Government Industrial Tribunal:
Delhi.

[No. 23/117/70/LR.III]

T. K. RAMACHANDRAN, Under Secy.

(Department of Labour and Employment)

New Delhi, the 25th May 1971

S.O. 2244.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Bankola Colliery of Messrs Burrakur Coal Company Limited, Post Office, Ukhra, District Burdwan and their workmen, which was received by the Central Government on the 19th May, 1971.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

REFERENCE No. 22 OF 1971

PARTIES:

Employers in relation to the management of Bankola Colliery of Messrs Burrakur Coal Company Limited

AND

Their workmen.

PRESENT:

Mr. B. N. Banerjee—*Presiding Officer*.

APPEARANCES:

On behalf of Employers—Mr. S. B. Sanyal, Legal Adviser, Bihar Organisation of Industrial Employers

On behalf of Workmen—Absent.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/89/70-LR.II, dated January 6, 1971, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred the following industrial dispute between the employers in relation to the management of Bankola Colliery of Messrs Burrakur Coal Company Limited and their workmen to this Tribunal, for adjudication, namely:

"Whether the management of Bankola Colliery of Messrs Burrakur Coal Company Limited, Post Office Ukhra, District Burdwan was justified in stopping from work S/Shri Nobin Nandi, Miton Turi and Kali Charan Manjhi, Cleaning Mazdoors with effect from 18th May 70? If not, to what relief the workmen concerned are entitled?"

2. Both the parties filed their respective written statement. To-day, which was fixed as the date of peremptory hearing, a joint petition of compromise was filed before this Court settling the dispute on terms. Now that the parties have settled the dispute on terms, I pass an award in terms of the settlement. Let the petition of compromise form part of this award.

Dated,
April 29, 1971.

Sd./- B. N. BANERJEE,
Presiding Officer.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CALCUTTA

REFERENCE No. 22 OF 1971.

Management of Bankola Colliery of the Burrakur Coal Co. Ltd.,
P. O. Ukhra, Dt. Burdwan.

Vs.

Their workmen represented through the Khan Shramik Congress, P. O. Ukhra, Dt. Burdwan.

Most Respectfulle Sheweth:

1. That the parties to the dispute have settled and resolved the differences on the following terms:—

- (a) That the concerned persons named in the order of Reference shall be paid a sum of Rs. 150/- each as full and final settlement.
- (b) The Union shall have no further claim what-so-ever in relation to the dispute.
- (c) That in case of a vacancy arising of cleaning mazdoor in the colliery the concerned persons shall be given first preference for their employment.

For Members.

(Sd.) B. AZAD, *General Secy.*
Khan Shramik Congress,
P. O. Ukhra, Dt. Burdwan.

Witness:

J. SHARAN, Personnel Officer (R)
Bankola Colliery, P. O. Ukhra, Dt. Burdwan.
April 28, 1971.

For Management.

(Sd.) S. K. SINGH, Superintendent (Ranigunge)
and Principal Officer,
Bankola Colliery, P. O. Ukhra,
Dt. Burdwan.

[No. 6/89/70-LR.II.]

S.O. 2245.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Presiding Officer, Central Government Industrial Tribunal Cum-Labour Court No. 1, Dhanbad, in the matter of an application under section 33A of the said Act, from Shri Jagannath Patar of Messrs Indian Copper Corporation Limited, Mosaboni Mines, which was received by the Central Government on the 19th May, 1971.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1,
DHANBAD

In the matter of a complaint under section 33A of the Industrial Disputes Act, 1947.

COMPLAINT NO. 1 OF 1969

PARTIES:

Shri Jagannath Patar, —Complainant;

Vs.

M/s. Indian Copper Corporation Ltd., Mosaboni Mines.—Opp. Party.

PRESENT:

Shri A. C. Sen,—Presiding Officer.

APPEARANCES:

For the Complainant,—None.

For the Opp. Party,—None.

STATE: Bihar.

INDUSTRY: Copper.

Dhanbad, dated the 12th May, 1971.

AWARD

An application under section 33A of the Industrial Disputes Act was made by Jagannath Patar, complainant against M/s. Indian Copper Corporation Ltd., opposite party to complain that the opposite party had contravened the provisions of section 33 of the Industrial Disputes Act. The above complaint was made in the matter of Reference No. 26 of 1969.

The opposite party filed its written statement on 7th April, 1969 denying the allegation in the petition of complaint. The complainant was dismissed with effect from 9th January, 1969 during the pendency of Reference No. 26 of 1968 and the opposite party made an application under section 33(2)(b) of the Industrial Disputes Act for approval, being Application No. 5 of 1969. The said Application No. 5 of 1969 was disposed of by this Tribunal on 25th March, 1971 on the basis of a compromise between the parties.

The present application has jointly been made by the said Jagannath Patar, the complainant in the above complaint and the said Indian Copper Corporation Ltd., Mosaboni Mines, the opposite party to the said complaint, praying that the said complaint may be disposed of as not pressed.

The net result, therefore, is that the Complaint is dismissed as not pressed and award is accordingly made.

This is the Award which I make and submit to the Central Government under section 15 of the Act.

(Sd.)/- A. C. SEN, Presiding Officer.

[No. L-29014/1/71-LR-IV.]

New Delhi, the 27th May 1971

S.O. 2246.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the following award of the Presiding Officer, Central Government Industrial Tribunal Cum-Labour Court No. 1, Dhanbad, in the matter of an application under section 33A of the said Act, from Shri Rango Bandra of Messrs Indian Copper Corporation Limited, Mosaboni Mines, which was received by the Central Government on the 19th May, 1971.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1,
DHANBAD

In the matter of a complaint under section 33A of the Industrial Disputes Act, 1947.

COMPLAINT No. 2 of 1969.

PARTIES:

Shri Rango Bandra, (Represented by Mosaboni Mines Labour Union—
Complainant.

Vs.

M/s. Indian Copper Corporation Ltd., Mosaboni Mines—Opp. Party.

PRESENT:

Shri A. C. Sen.—Presiding Officer.

APPEARANCES:

For the Complainant: None.

For the Opp. Party: None.

STATE: Bihar

INDUSTRY: Copper.

Dhanbad, the 12th May 1971

AWARD

An application under section 33A of the Industrial Disputes Act was made by Shri Rango Bandra, complainant against M/s. Indian Copper Corporation Ltd., opposite party to complain that the opposite party had contravened the provisions of section 33 of the Industrial Disputes Act. The above complaint was made in the matter of Reference No. 28 of 1968.

The opposite party filed its written statement on 7th April, 1969 denying the allegation in the petition of complaint. The complainant was dismissed with effect from 9th January, 1969 during the pendency of Reference No. 28 of 1968, and the opposite party made an application under section 33(2)(b) of the Industrial Disputes Act for approval, being application No. 2 of 1969. The said application No. 2 of 1969 was disposed of by this Tribunal on 25th March, 1971 on the basis of a compromise between the parties.

The present application has jointly been made by the Vice-President of Mosaboni Mines Labour Union on behalf of the complainant in the above complaint and the said Indian Copper Corporation Ltd., Mosaboni Mines, the opposite party to the said complaint, praying that the complaint may be disposed of as not pressed.

The net result, therefore, is that the Complaint is dismissed as not pressed and award is made accordingly.

This is the award which I make and submit to the Central Government under section 15 of the Act.

(Sd.) A. C. SEN, Presiding Officer.

[No. L-29014/3/71-LR-IV.]

S.O 2247—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Presiding Officer, Central Government Industrial Tribunal Cum-Labour-Court No. 1, Dhanbad, in the matter of an application under section 33A of the said Act, from Shri Tarapada Panda of Messrs Indian Copper Corporation Limited, Mosaboni Mines, which was received by the Central Government on the 19th May, 1971.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1,
DHANBAD

In the matter of a Complaint under section 33A of the Industrial Disputes Act, 1947.

COMPLAINT No. 2 OF 1969

(IN REFERENCE No. 26 OF 1968)

PARTIES:

Shri Tarapada Panda—Complainant.

Vs.

M/s. Indian Copper Corporation Ltd., Mosaboni Mines.—Opp. Party.

PRESENT:

Shri A. C. SEN.—Presiding Officer.

APPEARANCES:

For the Complainant: None.
For the Opposite Party: None.

STATE: Bihar.

INDUSTRY: Copper.

Dhanbad, dated the 12th May, 1971.

AWARD

An application under Section 33A of the Industrial Disputes Act was made by Tarapada Panda, complainant against M/s. Indian Copper Corporation Ltd., opposite party to complain that the opposite party had contravened the provisions of section 33 of the Industrial Disputes Act. The above complaint was made in the matter of Preference No. 26 of 1968.

The opposite party filed its written statement on 7th April 1969 denying the allegation in the petition of complaint. The complainant was dismissed with effect from 9th January 1969 during the pendency of Reference No. 26 of 1968 and the opposite party made an application under section 33(2)(b) of the Industrial Disputes Act for approval, being Application No. 1 of 1969. The said application No. 1 of 1969 was disposed of by this Tribunal on 25th March 1971 on the basis of a compromise between the parties.

The present application has jointly been made by the said Tarapada Panda, the complainant in the above complaint and the said Indian Copper Corporation Ltd., Mosaboni Mines, the opposite party to the said complaint, praying that the complaint may be disposed of as not pressed.

The net result, therefore, is that the Complaint is dismissed as not pressed and award is accordingly made.

This is the Award which I made and submit to the Central Government under Section 15 of the Act.

A. C. SEN,
Presiding Officer.

[No. L-29014/2/71-LR-IV.]

New Delhi, the 29th May 1971

S.O. 2248.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 2), Bombay in the industrial dispute between the employers in relation to the management of Shantilal Khushaldas and Brothers Private Limited, Margao (Goa) and their workmen, which was received by the Central Government on the 5th May, 1971.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2,
BOMBAY

REFERENCE NO. CGIT-2/14 OF 1969

Employers in relation to M/s. Shantilal Khushaldas and Brothers Pvt. Ltd.,
Margao (Goa)

AND

Their workmen

PRESENT:

Shri N. K. Vani—Presiding Officer.

APPEARANCES:

For the Employers—(1) Shri Ramesh Desai, Labour Adviser, (2) Shri G. V. Kerkar, Labour Officer.

For the Workman—Shri George Vani, General Secretary, Goa Mining Labour Welfare Union, Goa.

INDUSTRY: Mining.

STATE: Goa, Daman and Diu.

Dated the 19th April, 1971

Award

By Order No. 24/53/69-LR.IV, dated 20th September 1969, the Central Government in the Ministry of Labour, Employment and Rehabilitation (Department of

Labour and Employment), in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the management of M/s. Shantilal Khushaldas and Brothers Pvt. Ltd., Margao (Goa) and their workman in respect of the matter, set forth in the schedule mentioned below:—

SCHEDULE

"Whether the management of M/s. Shantilal Khushaldas and Brothers Private Limited, Margao is justified in their action in dismissing Shri J. F. Rodrigues the ex-workman employed as clerk-cum-Typist in Odomal Mine with effect from 20th November, 1968? If not, to what relief is the workman entitled?"

2. The facts giving rise to this reference are as follows:—

3. Shri J. F. Rodrigues was employed as a clerk-cum-typist in the service of M/s. Shantilal Khushaldas and Brothers Pvt. Ltd., Margao since 1960. It is alleged that he deliberately changed his leave records and increased the leave balance to his credit indiscriminately. On this allegation show cause notice was issued on 20th November 1968. It is as follows:—

"It has been noticed that you have deliberately changed your leave records and increased the leave balance to your credit indiscriminately.

You are therefore directed to show cause within 48 hours from the receipt of this letter as to why you should not be dismissed from service.

As the charges are of grave nature, you are kept under suspension with immediate effect, pending enquiry against you."

4. On 23rd November 1968, Shri Rodrigues gave reply to the show cause notice. It is as follows:—

"To

The Director,
Shantilal K. & Bros. Pvt. Ltd.,
Margao.

Re: Leave record

Sir,

I am in receipt of your letter No. 36/3932/68, dated 20th November 1968 addressed to me on the above cited subject in reply I respectfully submit as under:—

It is not true to say that I deliberately changed the leave record as stated in para. 1 of the said letter.

However, it is true that I was under impression that I could credit my leave of the current year and thus applied for and I enjoyed only after obtaining the sanction of the departmental head and thus it is clear that I did not commit any breach of the leave rules for which it does not warrant such a notice from you and

In view of above it is prayed that the order served against me be cancelled for which act of kindness I shall ever be duty bound."

5. On 29th November 1968, dismissal order was sent to Shri J. F. Rodrigues by registered post. It is as follows:—

"Further to our Charge sheet letter No. 36/3932/68 of 20th inst., and oral inquiry was held into the same on 28th instant.

During the course of the inquiry the charges have been conclusively proved against you and also you have admitted the same.

As the charges are of serious nature management can no longer repose confidence in you and as such you have been dismissed from services with immediate effect.

You are, therefore, directed to approach Accounts Section for settlement of your dues, if any."

6. After the dismissal of Shri Rodrigues, he raised an industrial dispute before the Assistant Labour Commissioner (C), Vasco-de-Gama vide his letter of 2nd May 1969, under Section 2A of the Industrial Disputes Act, 1947 stating that he

was wrongly dismissed from service with effect from 20th November 1968. Thereupon, conciliation proceedings were held but the dispute could not be settled amicably. These proceedings ended in failure. Hence the Assistant Labour Commissioner (C), Vasco-de-Gama sent the failure of conciliation report to the Central Government. On the receipt of this report, this dispute was referred to this Tribunal for adjudication.

7. After the receipt of this reference notices were sent to the parties to file their written statements.

8. M/s. Shantilal Khushaldas and Brothers Pvt. Ltd., Margao (hereinafter referred to as 'the company') has filed written statement on 18th November 1969, raising preliminary objection regarding the jurisdiction of this Tribunal.

9. The preliminary objection raised by the company was heard and the same was disallowed by my Award, dated 3rd January 1970 published in the Gazette of India *vide* notification dated 14th January, 1970.

10. The Company had preferred appeal to the Supreme Court against my preliminary finding regarding jurisdiction, obtaining stay of the proceedings. Later on, the Stay was vacated and the appeal was dismissed with liberty to the petitioner to raise the point against the final award.

11. After the dismissal of the appeal filed in the Supreme Court, the proceedings pending before me continued.

12. Shri J. F. Rodrigues (hereinafter referred to as the 'affected workman') has filed written statement on 20th October 1969, at Ex. 1/W. According to him, he had only taken leave as sanctioned by the Mines Manager in the Leave Register maintained at the Odomol Mines. The Mines Manager Shri Lawande sanctioned the leave asked for and countersigned the sanctioned leave in the Leave Register maintained at the Odomol Mine. This Leave Register has been examined by the Assistant Labour Commissioner (Central), Vasco-de-gama during the course of conciliation. He has countersigned the Leave Register in token of his having seen it.

13. According to the affected workman, there was no attempt to falsify or change the Leave Register. This was done with the knowledge of the Mines Manager. His entitled leave for the year 1968 was added to privilege leave as per rule in Chapter VII of the Mines Act, 1952. Standing Orders regarding leave apply to the company and its employees. He had applied for privilege leave from 13th November, 1968 to 16th November 1968 both days inclusive. The Mines Manager sanctioned this leave on the Leave Register maintained for that purpose after satisfying himself that the same was to his credit.

14. According to the affected workman, he was working at the Harvalcm Mine of the Company in the year 1966-67. He was transferred to Odomol Mine on 30th January 1968. It is a prevalent practice to credit leave of the current year to the privilege leave due for that year. He had used privilege leave sanctioned for the year 1967, during the year 1967. He had only 3 days privilege leave left as due when he was transferred to the Odomol Mine. Consistant with this prevailing practice, on his transfer to Odomol Mine, he added privilege leave due for 1968 to the privilege leave due for the current year. The nature of his work was to look after monthly paysheet, office correspondence, typing work, register of staff and leave registers of the employees.

15. According to the affected workman, he has not done anything unusual in adding his privilege leave for the year 1968 to the privilege leave for the current year 1968. On this understanding the Mines Manager at Odomol sanctioned his privilege leave for the year 1968. His dismissal on the ground of changing leave record is not justified. It is *malafie* and with the intention to get rid of him, as he enrolled workmen for the Goa Mining Labour Welfare Union and because the workman were getting organised and forming a trade union.

16. According to the affected workman, the charge levelled against him does not mention what particular provision of standing orders was infringed by him. The dismissal letter does not also mention the provision of the standing order, infringed by him. He never admitted his guilt in oral inquiry. He however stated that he added privilege leave for 1968, as per prevailing practice in the company. His dismissal was against the principles of natural justice and with a view to victimise him. He be reinstated with continuity of service and back wages. The company be also directed to pay him adequate compensation for the wrongful dismissal.

17. On 5th November 1970 Shri Kerker, Labour Officer of M/s. Shantilal Khushaldas and Brothers Pvt. Ltd., Margao has filed written statement at Ex. 9/E.

18. According to him:—

- (i) Shri J. F. Rodrigues was in the employment of the company till he was dismissed from service from 20th November, 1968. The said Rodrigues was working as typist-cum-clerk. His main duties were to look after monthly paysheets of the staff, to carry on correspondence and typing work, and to maintain leave Register of staff. Being a senior person in charge of maintenance of Leave Register it was the duty of Shri Rodrigues to maintain it correctly and honestly. Shri Rodrigues was working at Aravalem till the 30th January, 1968 when owing to exigencies of service he was transferred to Odamol Mines. At the time of his transfer, his previous leave record was sent along with him to Odamol Mines (vide Exhibit 'A' to Ex. 9/E). In all these places he (Shri Rodrigues) continued to be in charge of Leave Register. He too was looking after his own leave account and used to credit leave as and when accrued. Taking advantage of the fact that he was exclusively in charge of calculating, crediting leave due to him, he credited 23 days privilege leave to his own account for the year 1967 (correct year 1968). He also credited additional 3 days as Casual leave to his leave account, in excess of the leave due to him which was already shown in Ex. A to Ex. 9/E. He enjoyed the said leave as and when he needed it, without creating slightest doubt in the Management, that leave enjoyed by him was not admissible to him. He manipulated the figures in the leave Register, by changing figures in the Register and give it to appear that the days of leave shown by him in the Register were the actual days of leave standing to his credit. The Company's Manager, and the Agent thinking that the days of leave shown by Shri Rodrigues in the Leave Register correctly represented the days standing to his credit, sanctioned it to him from time to time as and when applied for it by him without leaving the slightest doubt that the days of leave shown in the register were manipulated one.
- (ii) This is not an error or an innocent act due to ignorance of leave rules but a deliberate attempt to enjoy much more leave due in excess of what is admissible to him under the rules. Being a senior man in charge of maintaining Leave Register of all the employees he did not adopt the same measure of calculating of leave to other employees as he did in his own case. Therefore the contention of Shri Rodrigues that he was under the impression that he could credit in advance leave of the whole year in the beginning of that year, is nothing but a plea put forth to screen and to hide his own malpractice and misdeed.
- (iii) When the management learnt about this matter, an enquiry made into it. In the enquiry serious malpractices, breaches of rules amounting to fraud and dishonesty during the course of employment were found to have been committed by this workman and hence the management submitted regular charge sheet to the workman and gave full opportunities to defend his own case and after holding proper and impartial enquiry and after concluding that the charges levelled against the said workman were proved beyond doubt, and taking into account the seriousness of the offence committed and the malpractice disclosed in the enquiry and carefully considering the case of the workman dismissed the said employee.
- (iv) This is not a case of victimisation, as alleged nor was the management actuated by any improper motives. Action of the management in dismissing the said employee is bonafide based on evidence and principles of Natural justice and procedure and fair play were strictly observed and not vitiated by any illegality. The workman fully understanding the nature of the charges against him, participated in the enquiry, answered all relevant questions put to him, participated in the enquiry, answered all relevant question put to him knowing all the seriousness of the issues involved. The said workman has admitted in the enquiry that he has changed the leave record. The workman did this to benefit him. Adding leave in excess of what is admissible to the workman is not an innocent act. It is wilful act of fraud and dishonesty.
- (v) All the allegations made by the workman in the statement of claims are false and frivolous. The dismissal of the workman is just and correct.

No case has been made out by the workman for setting aside the order of dismissal. The workman is not entitled to reinstatement or back wages or for any other relief. The reference be, therefore, rejected.

19. Points for consideration are as follows:-

- (i) Whether the domestic enquiry held against the affected workman was proper, fair and in accordance with the provisions of Standing orders applicable to the employees of the company?
- (ii) Whether the same is vitiated?
- (iii) Whether the management of M/s. Shantilal Khushaldas and Brothers Private Limited, Margao is justified in their action in dismissing Shri J.F. Rodrigues, ex-workman employed as clerk-cum-Typist in Odomol Mine with effect from 20-11-1968?
- (iv) If not, to what relief is the workman entitled?
- (v) What order?

20. My findings are as follows:—

- (i) No.
- (ii) Yes.
- (iii) Yes, with effect from 29th November, 1968.
- (iv) The workman is not entitled to any relief.
- (v) As per order.

Reasons

Point Nos. (i) and (ii).

21. Shri George Vaz for the affected workman contends that the domestic enquiry held against the employee i.e. Shri J. F. Rodrigues was not proper, fair and in accordance with the provisions of the Standing Orders made applicable to the employees of the company. In support of this contention he relies on Standing Orders and the evidence on record.

22. The Company has produced a copy of the Standing Orders applicable to the employees of the company on record.

23. It is clear from Clause 20(2) of the Standing Orders that a workman may be warned or censured, or fined upto 2 per cent of his wages in a month, or suspended without pay for a period not exceeding four days at a time or demoted, or reduced in grade or removed or dismissed from service without notice or any compensation in lieu of notice, if he is found to be guilty of misconduct. Clause 21(2)(e) mentions that fraud or dishonesty in connection with employers' business or property, shall be treated as misconduct.

24. If a workman of the company has to be dismissed for misconduct, departmental enquiry has to be held against him and proper procedure regarding departmental enquiry as laid down in the Standing Orders has to be followed. In order to find out whether proper procedure in holding departmental enquiry has been followed or not, it is necessary to refer to certain clauses of the Standing Orders.

25. Clauses 21(a)(1) and (2), (b) and (d) are as follows:—

"21(a) A workman charged with misconduct of a nature which (is established) is likely to lead to imposition of any of the penalties (except warning, censure or fine) provided under Standing Order 20(2) shall be given a charge-sheet in writing clearly setting forth:

- (1) the circumstances appearing against him and requiring explanation, and
- (2) the date and time at which the case will be heard (which date shall not be less than seven days after the service of the notice). At the hearing of the case, he shall be given an opportunity to answer the charge. Except for reasons to be recorded in writing by the officer holding the enquiry (who shall be an independent officer not connected with the happenings or reporting of the happenings included in the charge-sheet), the workman shall be permitted to produce witnesses in his defence and cross-examine any witnesses on whose evidence the charge rests. A concise summary of the evidence led on either side and the workman's plea shall be recorded.

(b) The workman, who, as a result of such trial, is ordered to suffer any punishment, a copy of the order passed by the competent authority shall be supplied to the workman concerned and he shall have a right of appeal to the Director of the Company who shall give his final decision on such appeal within thirty days from the date of appeal.

(d) In awarding punishment under this Standing Order, the Manager shall take into account the gravity of the misconduct, the previous record, if any, of the workman and any other extenuating or aggravating circumstances that may exist."

26. The affected workman has filed annexure 'A' to his written statement Ex. 1/W. It appears from para. 7 of the Ex. 1/W that he refers to Annexure 'A' dated 20th November, 1968 as charge-sheet given by the company.

27. Shri Vaz for the affected workman contends that Annexure 'A' dated 20th November 1968, to the written statement Ex. 1/E is not a charge-sheet, but it is a show cause notice and that no charge-sheet was issued in the present case. What he wants to suggest is that the domestic enquiry held against the affected workman was held without issuing charge-sheet.

28. In view of the admission given by the employee in his written statement Ex. 1/W, para. 7, it cannot be said that Annexure 'A' to the written statement is only a show cause notice and not a charge-sheet.

29. As per clause 21(a) of the Standing Orders referred to above, a workman to be charged with misconduct has to be given a charge-sheet in writing clearly setting forth the circumstances appearing against him and requiring explanation. The charge-sheet shall also mention the date and time at which the case would be heard.

30. In the present case, in Annexure 'A' dated 20th November, 1968, the date and time regarding the hearing of the case have not been mentioned. It is silent on this point. It does not also specifically state the circumstances appearing against the workman and requiring his explanation. The charge-sheet as it stands is vague and indefinite. As it is confusing and not clear and definite it cannot be said that the company has complied with the provisions of clauses 21(a)(1) and (2) of the Standing Orders.

31. It appears that on the receipt of the charge-sheet Annexure 'A' to Ex. 1/W, the affected workman gave reply to the company on 23rd November 1968 vide Annexure 'B' to Ex. 1/W. The original reply is produced at Ex. 25/E. By this reply the affected workman clearly informs the company that he did not deliberately change the leave record as mentioned in para. 1 of the said letter. This shows that the affected workman did not admit the charge levelled against him. He also had explanation, saying that he was under the impression that he could credit his leave of the current year. This means that he wants to give explanation for his crediting leave in his leave account.

32. Shri Kerker was the Enquiry Officer, who held enquiry against the affected workman. Shri Kerker has not been examined in this case, but the original Enquiry papers have been produced in this case, alongwith the application dated 6th November 1970, made by the company. They are at Exhibits 10/E, 11/E and 12/E.

33. On going through the original enquiry papers referred to above, it appears that the enquiry was held on 28th November 1968. During the enquiry Shri Kerker asked certain questions to the affected workman and recorded his statement in question and answer form. Thereafter he made his report (Ex. 11/E) of the enquiry. It appears from his report that on the admission of the affected workman, he held the charge levelled against him proved, and that he asked some questions only with a view of obtaining clarification on certain points.

34. The way in which the enquiry was held against the affected workman in the present case is such that it does not inspire confidence. Proper procedure was not followed.

35. Ex. 10/E shows as to what had happened during the enquiry proceedings. Relevant portion from this Exhibit is as follows:—

"Inquiry Proceedings.

On 20th November 1968, Mr. J. F. Rodrigues clerk working at Odamol Mines, issued a charge-sheet and suspended pending inquiry for altering of

his leave record. His explanation was received on 23rd inst. On receipt of the same oral inquiry proceedings were fixed on 27th November, 1968. However, as the communications did not receive from the party in time, proceedings were held on the next day i.e. 28th November 1968."

36. It is clear from the above that the Enquiry Officer received the explanation of the affected workman on 23rd November 1968 and that he fixed the enquiry on 27th November, 1968. It means that he did not give sufficient time to the affected workman before holding enquiry. It also mentions that on receipt of the explanation, oral enquiry proceedings were fixed on 27th November, 1968. There is no provision in the Standing Orders under which oral enquiry can be held. The enquiry has to be held as laid down in clauses 21(a)(1) and (2), (b) and (d).

37. In the present case, the provisions of clauses 21(a)(1) and (2) were not complied with.

38. There is nothing on record to show that order passed by the competent authority was supplied to the affected workman and that he was informed that he would have a right of appeal to the Director of the company. It means that the provisions of clause 21(b) of the Standing Orders were not also complied with in this case.

39. The charge against the affected workman as appears from Annexure 'A' to Ex. 1/W is as follows:—

"It has been noticed that you have deliberately changed your leave records and increased the leave balance to your credit indiscriminately."

40. During the enquiry, the Enquiry Officer Shri Kerker asked the affected workman as to whether he accepted the charge that he changed the leave record. He did not ask him as to whether he deliberately changed his leave records and increased the leave balance to his credit indiscriminately. Hence the affected workman's reply that he admitted to have changed the leave record does not mean that he deliberately changed his leave record and increased the leave balance to his credit indiscriminately. In his explanation Ex. 'B' to Ex. 1/W, he clearly says that he did not deliberately change his leave record and that he changed the leave record because he was under the impression that he could credit his leave of the current year. In view of this, the finding of the Enquiry Officer about the guilt of the affected workman based on his admission is not proper. Such finding about the guilt of the affected workman could not be arrived at on his mere saying that he changed the record. It was absolutely necessary to have evidence before the Enquiry Officer regarding the circumstances in which the leave record was changed for inferring as to what the intention of the affected workman is changing his leave record was. I am, therefore of the view that on materials before the Enquiry Officer, he was not justified in coming to the conclusion that the charge levelled against the affected workman suggesting dishonesty on his part was proved.

41. On the receipt of the findings of the Enquiry Officer, Ex. 11/E, the Manager passed the following order, Ex. 12/E, as mentioned below:—

"I have carefully gone into the enquiry proceedings and other connected records. I am satisfied that the findings arrived at by the enquiring officer are correct and based on evidence. Accordingly, I order dismissal of the person concerned."

42. A perusal of the above order and the dismissal letter, dated 29th November 1968, referred in para. 5 of this Award does not show that while inflicting punishment of dismissal on the affected workman, the management has taken into consideration the gravity of the misconduct, the previous record of the workman and any other extenuating or aggravating circumstances that may be existing. It means that the provisions of the Standing Orders clause 21(d) were not complied with.

43. In the case *Mahalakshmi Textile Mills versus Labour Court, Madurai* and others, reported in 1963, II, LLJ, page 58 their Lordships in the High Court of Judicature at Madras have held as follows:—

"The standing orders of an establishment *inter alia* constituted absence without leave for eight consecutive days a misconduct. It further provided that in awarding punishment to a workman found guilty of misconduct at a domestic enquiry the management shall take into account the gravity of misconduct, the previous record if any of the workman and any other extenuating circumstances that may exist.

A workman who was found guilty of remaining absent without leave for more than eight consecutive days at the domestic enquiry was awarded the punishment of dismissal from service. The concerned workman did not participate in the domestic enquiry.

The Labour Court adjudicating the dispute set aside the order of dismissal and directed his reinstatement.

The writ petition preferred by the employer to quash the resulting award was dismissed on ground that the management had failed to take into account the various factors before awarding punishment as required by the relevant provisions of the Standing order (such as gravity of the misconduct, past record of the workman and the extenuating circumstances, if any). The award of the Labour Court was interpreted in substance and effect, as amounting to a conclusion or finding that relevant matters had not been taken into consideration by the management in awarding punishment."

44. Relying upon the above ruling, I am of the view that the enquiry proceedings in this case were not in accordance with the provisions of the Standing Orders applicable to the workman and that the same is vitiated.

45. The affected workman Shri J. F. Rodrigues has given evidence before me at Ex. 16/W. In his evidence he speaks about the enquiry as mentioned below:—

"The enquiry was held against me on 28th November, 1968 at Conference at Margao. Shri Kerker was the Enquiry Officer. One clerk was present there but I do not know his name. I do not know Shri Leo Sores. Shri Kerker's signature is in the enquiry proceedings. My signature is also in the enquiry proceedings. One clerk was noting down the enquiry proceedings. No complainant was examined before me in the enquiry proceedings. No witness was examined against me in my presence during the enquiry proceedings. The leave Register for the year 1968 produced in this Court was not produced in the enquiry proceedings in my presence. Questions were put to me without referring to any documents. I gave reply without referring to any documents.

The enquiry Officer has not correctly recorded my replies to question Nos. 1, 2, 3 and 10. My replies in respect of other questions are correctly recorded.

I had given reply to Question No. 1 put to me by the enquiry Officer as follows:—

'I had credited privilege leave for the year 1968. But he had recorded my reply as 'yes'.

I have given reply to Question No. 2 put to me by the Enquiry Officer as follows:—

'I have credited privilege leave to my account for the year 1968 after my transfer from Arvolem Mine to Odomol Mines.'

But he recorded the reply as 'have changed the leave record after transfer from Arvolem to Odomol Mines', which is incorrect.

I have given reply to question No. 3 put to me by the Enquiry Officer as follows:—

'I had credited 10 days privilege leave in the beginning to my account and before end of 1968 I credited 8 days more privilege leave to my P.L. account.'

But the enquiry Officer incorrectly recorded my reply as 'I increased the days when I was transferred from Odomol to Melca Mines by ten (10) days in P.L. being the leave of the current year, again on retransfer to Odomol Mine I increased the leave by 8 days in P.L. as a balance of a remaining leave for the current year.'

I gave reply to question No. 10 put to me by the Enquiry Officer as follows:—

'3 days privilege leave for the year 1967 was standing to my credit.' But he incorrectly recorded my reply as follows:—

'I had then 3 days'.

Copy of enquiry proceedings was not given to me when I put my signature on the enquiry proceedings. No signature of any witness was obtained in the enquiry proceedings in my presence when I put my signature on it.

I received copy of enquiry proceedings from the management later on during the conciliation proceedings."

46. In the present case the affected workman has made serious allegations regarding incorrect recording of his statement during the enquiry. The Enquiry Officer has not come to witness box to deny these allegations. It would have been better if the Enquiry Officer would have come in the witness box to deny the allegations made against him and to throw more light regarding the procedure which he followed during the enquiry. In any case from the original enquiry papers on record, it is crystal clear that proper procedure of holding enquiry was not followed in the present case.

47. During the course of arguments, Shri Ramesh Deasi appearing on behalf of the company has stated as follows:-

"In the enquiry, the enquiry was conducted in the form of questions and answers. There was no proper inquiry. Form and substance are not maintained in this enquiry. One can say that there was no enquiry at all as provided under the Standing Orders or common law. There was no enquiry worth its name."

48. For the reasons given above, I hold that the domestic enquiry held against the affected workman was not proper, fair and in accordance with the provisions of the Standing Orders applicable to the employees of the company and that the same is vitiated. Hence my findings on Point Nos. (i) and (ii) are as above.

Point Nos. (iii) and (iv).

49. Shri Ramesh Desai for the Company contends that the affected workman's dismissal for the misconduct committed by him be considered on merit i.e. on evidence and material adduced before this Tribunal even though the domestic enquiry held against the affected workman by the Company is vitiated.

50. Though the domestic enquiry held against the affected workman by the management is vitiated, I am considering this case on merit, as the parties have adduced evidence before me.

51. Shri Ramesh Desai for the company contends that the affected workman's conduct in changing his own leave record deliberately by increasing the leave balance indiscriminately after his transfer to Odomol Mine from Arvolem Mines in January, 1968 amounts to dishonesty, fraud and cheating and that this is a misconduct within the meaning of clause 22(e) of the Standing Orders applicable to the employees of the company. In support of this contention he relies on the evidence adduced before this Tribunal.

52. The affected workman had given written statement before the Labour Officer of the Company regarding his leave balance and duty on 19th November, 1968. That statement is at Ex. 24/E. The affected workman Shri J. F. Rodrigues at Ex. 16/W, admits in his evidence before me that this statement bears his signature and that it is correct.

53. The statement Ex. 24/E referred to above is as follows:—

"I, the undersigned, Joagin Floriano Rodrigues working as a clerk at Odamol Mine declare as under:—

I was transferred to Odamol Mines from Arvaleam on 31st January, 1968. I was at Odamol for about 3 days and later on I was transferred to Melca Mines where I worked for about 5 to 6 days and then retransferred to Odmol Mines. At the time of my transfer to Odamol Mines from Arvaleam my leave balance was 3 days P.L., 7 days sick and 7 days C.L. At Odamol I am looking after the registers of staff, monthly paysheets of staff, office correspondence and typing work. I am to look after leave registers and in my absence, Mr. Justino Rodrigues and in his absence, Mr. Durbhatcar. When I was transferred from Melca to Odamol, I changed P.L. Leave balance from 3 days to 13 days as I wanted leave for my some domestic work. The leave which I credited to my leave a/c is for the year 1968. When I came to Odamol I changed the P.L. from 13 days to 21 days as I was also in need of leave. The

leave which was credited to my a/c is 8 days being the balance of the whole year 1968. This I have done in the middle of the year.

Sd./

19-11-68"

54. There can be no doubt from the above mentioned statement of the affected workman, that after his transfer to Odamol Mines he was in-charge of the Leave Register and that he changed the privilege leave from 3 days to 13 days and later on from 13 to 21 days as he wanted leave for his some domestic work.

55. Para. 21 of the affected workman's affidavit Ex. 13/W is as follows:—

"I wish to state that I deny the allegation made against me in the written statement of the company as filed on the 5th November, 1970. I deny that I had credited 23 days to my leave days as privilege leave for the year 1967. Actually I had informed the Leave recording authority on my transfer that I had 3 days PL to my credit from the 1967 Register and that for the current year 1968 I can enjoy 18 days which has always been my usual practice. On this as per my transfer letter and the directives contained in this letter which said PL may be credited at your end (1968) a total days of 23 days was marked in my PL column by Justino Rodrigues. Which entry is in his hand-writing and signed by him."

56. It appears that the affected workman wants to take a stand that entry regarding privilege leave made in the Leave Register of Odamol Mines for the year 1968, is in the handwriting of Shri Justino Rodrigues and not in his. In view of the specific admission given by the affected workman in statement Ex. 24/E, written statement Ex. 1/W, para 5 and the affidavit Ex. 13/W, para 19, his defence that Shri Justino Rodrigues made the changes in respect of privilege leave balance entry of 23 days in Privilege Leave Register of Odamol Mine for the year 1968 cannot be accepted. On his own admission it is he who effected the changes in privilege leave balance entry from 3 to 13 and then to 23.

57. The affected workman's case is that there was a prevailing practice of crediting privilege leave becoming due in a particular year at the commencement of the year concerned, that the employees concerned used to be allowed to enjoy the privilege leave in advance in that year and that in pursuance of this prevailing practice, his privilege leave for the year 1968 was credited in his privilege leave account for the year 1968, in the beginning of the year, after his transfer to Odamol Mines on 30th January, 1968.

58. The burden to prove this prevailing practice is on the affected workman and he has failed to discharge the same.

59. The affected workman, Shri J. F. Rodrigues Ex. 16/E joined the service of the company on 18th August, 1960. According to him:—

- (i) he was allowed to enjoy 20 days privilege leave in 1961 in advance.
- (ii) he started getting 18 days privilege leave from 1963 onwards,
- (iii) he was transferred from Melca Mines to Arvaalem Mines in 1965 or 1966,
- (iv) he was enjoying the same facility of getting privilege leave in advance in Arvaalem Mines.
- (v) leave becoming due in the whole year used to be credited in the beginning of the year in the leave account of the employee concerned in Arvaalem Mine. In view of this prevailing practice his leave for the year 1966 and 1967 was credited in his leave account in the beginning of that year concerned.

60. The affected workman, Ex. 16/W, admits in his cross-examination that in his leave account for the year 1966, the leave becoming due during the whole year 1966 has not been credited in the month of January 1966 in Arvaalem Mines, and that there was a practice in Arvaalem Mines of crediting the privilege leave at the rate of 1½ days becoming due in a particular month, at the end of that month in the Leave Register. He also admits that in the year 1967, leave becoming due during the whole year 1967 was not credited in the month of January, 1967.

61. In view of the admissions given by the affected workman referred to above, it is crystal clear that there was no prevailing practice, in Arvaalem Mine

of crediting privilege leave becoming due in a particular year at the commencement of that year in the privilege leave account.

62. On the other hand on his admission, the practice prevailing in Arvalem Mines was to credit the privilege leave at the rate of $1\frac{1}{2}$ days becoming due in a particular month at the end of that month in the Leave Register.

63. As there was no prevailing practice of crediting privilege leave becoming due in a particular year, in the privilege leave account of the employee concerned at the commencement of the year, in Arvalem Mines, there was no justification for the affected workman to credit his privilege leave for the year 1963 at the commencement of the year, in his privilege leave account, on his transfer to Odamol Mines in January, 1968.

64. The affected workman says in his evidence Ex. 16/W as follows:—

"Shri N. R. Kamat gave me transfer order (annexure to written statement of the management). After going to Odamol Mine I handed over the transfer order to the Mines Manager and took my charge. Shri A. Lawande was the Manager at that time. The Manager did not ask me as to what the expression 'Pl. may be credited at your end (January, 1968)' meant. On taking charge at Odamol Mine I informed the Manager that I was enjoying privilege leave in advance during the years. Shri Justino Rodrigues was in charge of Leave Register at Odamol Mine when I took over there. I informed Shri Justino Rodrigues that I was taking privilege leave for the current year in advance in Arvalem Mine and that I would like to enjoy the same facility in Odamol Mine also.

In the beginning I told him that 3 days privilege leave was to my credit for the year ending 1967. Thereafter he accordingly credited 3 days privilege leave in my leave account as balance due for the year 1967. Later on I asked him to credit 10 days privilege leave to my account. He accordingly changed the figures 3 to 13 in my leave account. Before the end of 1968 I told him that 8 days more privilege leave was to my credit. He accordingly changed the figure 13 to 21 in my leave account, though he should have changed the figure to 21. I enjoyed 20 days privilege leave in the year 1968. I say this on the basis of my leave account, for the year 1968. I am not however sure whether I have enjoyed 3 days more privilege leave for the period from 19th February, 1968 to 21st February, 1968 as shown in the Register."

65. The affected workman's stand that he had informed Shri Lawande, Manager that he was enjoying privilege leave in advance during the years, is not supported by his own witness Shri Lawande, Ex. 14/W.

66. Shri Lawande, Manager, Odamol Mines has been examined as witness on behalf of the affected workman at Ex. 14/W. Some specific questions were put to this witness to which he has given specific replies. They are as follows:—

"Ques: Is it a fact that Shri J. F. Rodrigues who had brought the transfer order with him informed you that he was enjoying privilege leave in advance in the year every year?

Ans: No.

Ques: Is it a fact that Shri J. F. Rodrigues informed you that privilege leave becoming due in the year 1967 was exhausted in the year 1967 itself?

Ans: No.

Ques: Is it a fact that you sanctioned privilege leave of Shri Rodrigues because you were aware that he used to enjoy privilege leave in advance every year (current year) and that you did not sanction his leave due to any misunderstanding or misrepresentation?

Ans: No.'

67. It is clear from the above mentioned evidence of Shri Lawande that the affected workman had not informed him that he was enjoying the privilege leave in advance every year. It is also clear that Shri Lawande does not say that he sanctioned the privilege leave to Shri J. F. Rodrigues because he was aware that Shri Rodrigues used to enjoy privilege leave in advance.

68. Shri Justino Rodrigues has been examined as witness at Ex. 31/E on behalf of the company. It was not suggested to him in his cross-examination that the

affected workman had informed him that he was taking privilege leave for the current year in advance in Arvaletn Mines and that he would like to enjoy the same facilities in Odamol Mines also. It was also not put to this witness that as per instructions of the affected workman, he credited 3 days as balance for the year 1967 and that later on he changed the same figure to 13 and thereafter to 23 at the instance of the affected workman. Inasmuch as the case made out by the affected workman in his evidence was not put to this witness in his cross-examination, the same cannot be accepted.

69. Privilege leave account of affected workman from Arvaletn Mines shows that no privilege leave was to his credit at the end of 1967. Admittedly he was transferred to Odamol Mines from Arvaletn Mines on 30th January, 1968. At that time also there could not be any privilege leave balance for the year ending 1967 to his credit.

70. It appears from the evidence of the affected workman Ex. 16/W that after his transfer to Odamol from Arvaletn, he told Justino Rodrigues that 3 days privilege leave was to his credit for the year 1967 and that he thereafter credited 3 days privilege leave in his leave account as balance due for the year 1967. It is therefore, clear that 3 days privilege leave was credited in the leave account of the affected workman in Odamol Mines as balance for the year 1967, though in fact no such privilege leave was due to the affected workman for the year 1967. Hence the circumstance regarding the crediting of 3 days privilege leave by way of balance leave for the year ending 1967 in the privilege leave account of the affected workman in Odamol Mine indicates as to what the intention of the affected workman was. It can be inferred that the intention in doing this was not fair and that he wanted some more leave though he was not entitled to the same.

71. There can be no doubt from the affected workman's statement Ex. 24/E dated 19th November, 1968 given before the Labour Officer of the company and his evidence Ex. 16/W before me that he is responsible for changing the figure from 3 into 13 and from 13 to 23 in his privilege leave account in Odamol Mines for the year 1968. I also hold that there was no justification for him for crediting the privilege leave for the year 1968 in advance at the commencement of the year, to his leave account. Hence the circumstance that he credited privilege leave for the year 1968 in advance his leave account in the Odamol Mines for the year 1968 indicates that his intention in doing this was not fair and *bona fide*.

72. It is clear from the privilege leave account of the affected workman from the Odamol Mines for the year 1968 that he had enjoyed 23 days privilege leave in all, till 16th November, 1968. This shows that he enjoyed privilege leave in excess.

73. The affected workman's case is that his leave was sanctioned by the mines Manager and that there was no dishonesty in enjoying the privilege leave for so many days in the year 1968.

74. Shri Lawande, examined as witness on behalf of the workman mentions as to how he used to sanction the leave to the employees. According to Shri Lawande, Ex. 14/W, on receipt of application for leave, he hands over the application to the clerk concerned for ascertaining as to whether the leave is due. When he gets the remark from the Leave record clerk that the leave is due, he sanctions it. He sanctions leave to the employees, relying the remarks of the clerk. His belief was not betrayed in respect of any employee except in case of Shri J. F. Rodrigues.

75. Shri J. F. Rodrigues was in charge of leave Register. It was his duty to maintain the correct balance of the privilege leave and other leaves in the Leave Register in respect of each employee including himself. He has not credited advance leave in the privilege leave account in respect of other employee. It is only in respect of himself that he has credited privilege leave in advance in his leave account, and obtained more leave, though he was not entitled to get the same. It appears that Shri Lawande sanctioned excess leave to the affected workman because he believed the leave balance maintained by him and because he had no reason to doubt him. It appears to me that he sanctioned excess leave on account of misrepresentation made by the affected workman. This clearly proves that it is the affected workman who is responsible for getting the excess leave sanctioned to him.

76. The affected workman's case that he and Shri Justino Rodrigues made a complaint against Shri A. Y. Khan, Petrol pump in-charge that he had issued diesel to a private truck owner and that on account of this Shri Khan made

report against him to the head office that he was enrolling members to the Goa Mining Labour Welfare Union, which is a red flag union and that he has also used more leave. The management acting on this letter issued show cause notice without reference to the mines Manager Shri Lawande and took vindictive action against him.

77. The company has examined Shri A. Y. Khan at Ex. 30/E and Shri Justino Rodrigues at Ex 31/E. Shri Justino Rodrigues denies that he alongwith Shri J. F. Rodrigues had made any complaint to Shri Lawande that Shri A. Y. Khan had committed theft of diesel oil and that Shri Lawande had made any enquiry in this connection against Shri Khan.

78. Shri Khan also denies that Shri J. F. Rodrigues alongwith Justino Rodrigues had made any complaint against him to the mines Manager. There is no other evidence worth the name to support the affected workman's contention that he alongwith Shri Justino Rodrigues had made complaint against Shri A. Y. Khan in connection with theft of diesel and that on account of that Shri Khan had made grievance against the affected workman to the head office.

79. The affected workman's evidence, Ex. 16/W, shows that he enrolled the employees of the company who are in the pay roll of the Odamol Mines as members of Goa Mining Labour Welfare Union. He however says that he was not an office bearer of the union and that he had not taken any active part on behalf of the union. As he was not an active member of the Union or an office bearer of the Union, there was no reason for the management to have any grudge against him. It cannot be inferred that the company had any grudge against him simply because he collected subscription from the employees of Odamol Mines on behalf of the Goa Mining Labour Welfare Union.

80. The affected workman's case that the company dismissed him as he collected the subscription of the Union is not supported by any evidence, oral or documentary, on record. There is no circumstance from which it can be inferred that the company had any grudge against the affected workman.

81. In short it will be clear from the above discussion that the affected workman's conduct in changing his own leave record deliberately after his transfer from Arvalens Mines to Odamol Mines in 1968 amounts to dishonesty, fraud and cheating. This is misconduct within the meaning of clause 20(2)(e) of the Standing Orders. On evidence and material before me, I hold that the affected workman is guilty of the misconduct.

82. The company dismissed the affected workman with effect from 29th November, 1968 by its Order dated 29th November, 1968 (Annexure 'C' to Ex. 1/W) for the misconduct committed by him.

83. The next point is whether the punishment of dismissal for this misconduct is justified.

84. The evidence on record shows that the affected workman on his transfer to Odamol Mines was put in charge of the Leave Register alongwith other duties. He was, therefore, enjoying the position of a trustee so far as the maintenance of Leave Register was concerned. It is on the basis of the balance of leave account maintained by him that the Mines Manager used to grant leave to the employees concerned. It was, therefore, absolutely necessary for the affected workman to keep correct and honest record regarding his own privilege leave also. The evidence on record further shows that the affected workman had committed breach of trust in respect of his own leave record, by adding more leave to his Privilege Leave account, to which he was not entitled. He does not therefore deserve any leniency. In my opinion the punishment of dismissal awarded to him by the management for the misconduct proved in this case is justified. He is not therefore entitled to any relief. In view of this my findings on Point Nos. (iii) and (iv) are as above.

Point No. (v):

85. In the end I pass the following order:—

(i) It is hereby declared that the management of M/s Shantilal Khushaldas and Brothers Private Limited Margao is justified in their action in dismissing Shri J. F. Rodrigues, the ex-workman employed as Clerk-cum-Typist in Odamol Mine with effect from 29th November, 1968, and that he is not entitled to any relief.

(ii) Final Award (Part II) is made accordingly.

(iii) No order as to costs.

(Sd.) N. K. VAN,

Presiding Officer.

Central Government Industrial Tribunal No 2,
BOMBAY.

[No. 24(53)/69-LR-IV.]

ORDERS

New Delhi, the 21st April 1971

S.O. 2249.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of P.D. Kajora Colliery, Post Office Kajoram, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

"Whether the action of the management of P. D. Kajora Colliery, Post Office Kajoram, District Burdwan in stopping the workmen from work with effect from the 20th October, 1970 was justified? If not, to what relief the workmen are entitled?"

[No. 6/78/70-LR.II.]

आदेश

नई दिल्ली, 21 अप्रैल, 1971

का०आ० 2249.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में पी० डी० कजोरा कोलियरी, डाकघर कजोरग्राम, जिला बर्दवान के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मकारी के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

"क्या पी० डी० कजोरा कोलियरी, डाकघर कजोरग्राम, जिला बर्दवान के प्रबन्धतन्त्र की कर्मकारों को 20 अक्टूबर, 1970 से काम करने से रोकने की कार्यवाही न्यायोचित थी ? यदि नहीं, तो कर्मकार किस अनुतोष के हकदार हैं ?"

[अं० 6/78-70/एल० आर०-2]

S.O. 2250.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bhuggutdih Rise Area Colliery of Messrs Bengal Nagpur Coal Company Limited, Post Office Dhanbari, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 2), Dhanbad constituted under section 7A of the said Act.

SCHEDULE

"Whether the claim of Shri S. C. Das, Assistant Electrician of Bhuggutdih Rise Area Colliery of Messrs Bengal Nagpur Coal Company Limited, Post Office Dhansar, District Dhanbad, for being placed as Electrician in Category IV as per Coal Wage Board Recommendations with effect from the 15th August, 1967, is justified? If not, to what relief is the workman entitled and from what date?"

"Whether the action of the management of Bhuggutdih Rise Area Colliery of Messrs Bengal Nagpur Coal Company Limited, Post Office Dhansar District Dhanbad in appointing Sarvashri B. B. Bhattacharjee, L. N. Das and M. K. Bhattacharjee, Badli Mining Sirdar-cum-shot-firers, on consolidated pay of Rs. 151 per month with effect from the 8th July, 1968 and the 12th September, 1963 respectively, is justified? If not, to what relief are the workmen entitled?"

[No. L-2012/21/71-LR.II.]

का० प्रा० 2250.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स बंगाल नागपुर कोल कम्पनी लि०, की भुगुतडीह राज्ज एरिया कोलियरी, डाकघर, धनसार, जिला धनबाद के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा -7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण (संख्या 2) धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

"क्या मैसर्स बंगाल नागपुर कोल कम्पनी लि०, की भुगुतडीह राज्ज एरिया कोलियरी, डाकघर धनसार, जिला धनबाद, के सहायक इलेक्ट्रिशियन, श्री एस० सी० दास का कोयला मजदूरी बोर्ड की सिफारिशों के अनुसार, 15 अगस्त, 1967 से वर्ग बार में रखे जाने का दावा न्यायोचित है? यदि नहीं, तो कर्मकार किस अनुतोष का और किस तारीख से हकदार है ?"

"क्या मैसर्स बंगाल नागपुर कोयला कं० लि० की भुगुतडीह राज्ज एरिया कोलियरी, डाकघर धनसार, जिला धनबाद के प्रबन्धतंत्र द्वारा सर्वश्री बी० बी० भट्टाचार्य एल० एन० दास और एम० के० भट्टाचार्य, बदली माइनिंग सिरदार-एव-शोट-फायररों को क्रमशः 3 जुलाई, 1968 और 12 सितम्बर 1968 से सले 151 रु० के समेकित वेतन पर नियुक्त करने की कार्रवाई न्यायोचित है ? यदि नहीं, तो कर्मकार किस अनुतोष के हकदार हैं ?"

[सं० एल०-2012/21/71-एलआर-2]

New Delhi, the 22nd April 1971

S.O. 2251.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Goenka Kajora Colliery, Post Office Okhra, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

"Whether the management of Goenka Kajora Colliery, Post Office Ukhra, District Burdwan was justified in stopping from work Shri Ram Kisun, Mistry-Carpenter with effect from 3rd September, 1970? If not, to what relief the workman is entitled?"

[No. L-1912(12)/71-LR II.]

नई दिल्ली, 22 अप्रैल 1971

का० आ० 2251.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में गोइन्का कजोरी कोलियरी, डाकघर उखरा जिला बर्दवान के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

"क्या गोइन्का कजोरा कोलियरी, डाकघर उखरा, जिला बर्दवान के प्रबन्धतंत्र द्वारा श्री राम किसुन, मिस्त्री-कारपेंटर को 3 सितम्बर, 1970 से काम करने से रोकना न्यायोचित था ? यदि नहीं, तो कर्मकार किस अनुतोष का हकदार है ?"

[सं० एल०-1912(12)/71-एल आर-2]

New Delhi, the 26th April 1971

S.O. 2252.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Sarpi Kajora Colliery, Post Office Ukhra, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

"Whether the management of Sarpi Kajora Colliery, Post Office Ukhra, District Burdwan was justified in not providing employment to Shri Amulya Pal, Water Mazdoor with effect from the 12th November, 1970? If not, to what relief is the workman entitled?"

[No. L-1912/24/71-LR II.]

नई दिल्ली, 26 अप्रैल 1971

का० आ० 2252.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में सर्पी कजोरा कोलियरी, डाकघर उखरा, जिला बर्दवान के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

“क्या सर्पी कजोरा कोलियरी, डाकघर उखरा, जिला बर्दवान के प्रबन्धतंत्र का श्री अमल्लया पाल, जल मजदूर की 12 नवम्बर, 1970 से नियोजित न करना न्यायोचित था ? यदि नहीं, तो कर्मकार किस अनुतोष का हकदार है ?”

[सं० एल०-1912/24/71-एलआर-2]

S.O. 2253.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Nimcha Colliery of Messrs Nimcha Coal Company, Post Office Raniganj, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

“Whether the suspension of Shri Asit Kumar Roy, General Clerk from the 30th April, 1970 by the management of Nimcha Colliery of Messrs Nimcha Coal Company Limited, Post Office Raniganj, District Burdwan is justified? If not, to what relief is he entitled?”

[No. L-1912/21/71-LR.II.]

का० आ० 2253.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स निमचा कोल कम्पनी की निमचा कोलियरी, डाकघर, रानीगंज जिला बर्दवान के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा

उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या मैसर्स निमचा कोल कम्पनी लि० की निमचा कोलियरी, डाकघर रानीगंज, जिला बर्दवान के प्रबन्धतंत्र द्वारा श्री असित कुमार राय टोम, साधारण लिपिक का 30 अप्रैल, 1970 से निलम्बन करना न्यायोचित है ? यदि नहीं, तो वह किस अनुतोष का हकदार है।”

[सं० एल०-1912/21/71-एल आर-2]

S.O. 2254.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of East Basuria Colliery of Messrs East Basuria Colliery Company Limited, Post Office Kusunda, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication:

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal (No. 2), Dhanbad, constituted under section 7A of the said Act

SCHEDULE

“Whether the action of the management of East Basuria Colliery belonging to Messrs East Basuria Colliery Company (Private) Limited, Post Office Kusunda, District Dhanbad, in terminating the employment of Shri Teko Koley, Miner, with effect from the 23rd October, 1970 was justified? If not, to what relief is the workman entitled?”

[No. L/2012/43/71-LR.II.]

का०आ० 2254.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स ईस्ट बसुरिया कोलियरी कम्पनी लिमिटेड, डाकघर कुसुंदा, जिला धनबाद की ईस्ट बसुरिया कोलियरी के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिये निर्देशित करता वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित औद्योगिक अधिकरण (संख्या 2), धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या मैसर्स ईस्ट बसुरिया कोलियरी कम्पनी (प्राइवेट) लिमिटेड, डाकघर कुसुंदा, जिला धनबाद की ईस्ट बसुरिया कोलियरी के प्रबन्धतंत्र की श्री टेको कोले, खनिक के नियोजन को 23 अक्टूबर, 1970 से समाप्त करने की कार्यवाही न्यायोचित थी ? यदि नहीं, तो कर्मकार किस अनुतोष का हकदार है ?”

[सं० एल०-2012/43 / 71-एल आर-2]

New Delhi, the 11th May, 1971

S.O. 2255.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Jaipur Mineral Development Syndicate (Private) Limited, owner of Dagota Jharna Soapstone Mine, Dagota, H.O. Jaipur and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri Gopal Narain Sharma, as Presiding Officer, with headquarters at Jaipur and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

"Whether the workers of Gagota Jharna Soapstone Mine, Dagota, H.O. Dausa of Messrs Jaipur Mineral Development Syndicate (Private) Limited, who were on strike from the 11th February, 1971 to the 5th March, 1971, are entitled to any compensation for the strike period? If so, to what amount?"

[No. L-29011/9/71-LRIV.]

नई दिल्ली, 11 मई, 1971

का० आ० 2255.—यत; केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मेसर्स जयपुर मिनरल डेवलपमेंट सिंडिकेट (प्रा०) लिमिटेड को डागोटा झरना सोपस्टोन माइन, डागोटा मुख्यालय जयपुर के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है ।

और यत: केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निदेशित करना वांछनीय समझती है ।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7—क और धारा 10 की उतधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री गोपाल नारायण शर्मा औद्योगिक अधिकरण होंगे, जिनका मुख्यालय जयपुर होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

"क्या जयपुर मिनरल डेवलपमेंट सिंडिकेट (प्रा०) लिमिटेड के डागोटा झरना सोपस्टोन माइन डागोटा, मुख्यालय दोसा के कर्मकार जो की 11 फरवरी, 1971 से 5 मार्च, 1971 तक हड़ताल पर रहे, हड़ताल की अवधि के लिए कोई प्रतिकर पाने के हकदार हैं ? यदि हाँ, तो यह रकम कितनी होगी ।"

[सं० एल० 29011/9/71—एल आर०—4]

S.O. 2256.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Sutna Stone and Lime Company Limited, Satna and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d)' of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Jabalpur constituted under section 7A of the said Act.

SCHEDULE

"Whether the action of the management of Messrs Satna Stone and Lime Company Limited, Satna in terminating the services of Sarva-shri Mahabir Kole (Son of Munda) and Ram Saran Kole (Son of Munda) was justified? If not, to what relief are these workmen entitled?"

[No. L-29011/11/71-LR-IV.]

का० आ० 2256.—यतः केन्द्रीय सरकार की राय है कि इससे उभावद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मेसर्स सतना स्टोन एण्ड लाइन कम्पनी लिमिटेड, सतना के प्रबन्धतंत्र में सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निदेशित करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्-द्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित औद्योगिक अधिकरण, जबलपुर को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

"क्या मेसर्स सतना स्टोन एण्ड लाइन कम्पनी लिमिटेड, सतना की सर्वश्री महाबीर कोले (सुपुत्र मुंडा) और राम सरन कोले (सुपुत्र मुंडा) की सेवाएं समाप्त करने की कार्यवाही न्यायोचित थी? यदि नहीं, तो ये कर्मकार किस अनुतोष के हकदार हैं ?

[सं० एल०-29011/11/71-एलआर-4]

New Delhi, the 29th May, 1971

S.O. 2257.—Whereas an industrial dispute exists between employers in relation to the management of Bikaner Gypsums Limited Bikaner and their workmen represented by Rashtriya Gypsum Karamchhari Sangh, Jamsar;

And whereas the said employers and their workmen have by a written agreement, in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947) referred, the said dispute to arbitration by the person specified therein, and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provisions of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement which was received by it on the 20th May, 1971.

Agreement

(Under Section 10-A of the Industrial Dispute Act, 1947)

BETWEEN

Name of the parties :

Representing Employers

Shri M. N. Roy,
Mines Superintendent,
Bikaner Gypsums Limited, Bikaner.
Shri A. K. Mukherjee,
Personnel Manager,
Bikaner Gypsums Limited, Bikaner.

Representing workmen

Shri Dilbagh Singh,
Vice President, Rashtriya
Gypsum Karamchari Sangh, Jamsar.
Shri Ramzan,
Rashtriya Gypsum Karamchari Sangh,
Jamsar.

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri O. Maheepathi, Deputy Chief Labour Commissioner (C) Government of India, Ministry of Labour, Employment and Rehabilitation, Shram Shakti Bhavan, Rafi Marg, New Delhi.

- | | |
|---|---|
| (i) Specific matters in dispute | As per Annexure 'A' attached |
| (ii) Details of the Parties to the dispute including the name and address of the establishment or undertaking involved. | Bikaner Gypsums Limited Sadul Club Building Bikaner (Rajasthan) and its workmen as represented by Rashtriya Gypsum Karamchari Sangh Jamsar. |
| (iii) Name of the Union if any representing the workmen in question | Rashtriya Gypsum Karamchari Sangh, Jamsar. |
| (iv) Total number of employees in the undertaking affected. | 206 approximately. |
| (v) Estimated number of workmen affected or likely to be affected by the dispute. | Less than 50% |

We further agree that the decision of the Arbitrator shall be binding on us.

The arbitrator shall make his award within a period of six months or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Signature of the parties.

Sd/-M. N. ROY

Representing Employers

Sd/-A. K. MUKERJEE

Representing Workers

Sd/- DILBAGH SINGH
RAMZAN

Witness

1. Sd/- Illegible

2. Sd/- Illegible

Terms of Reference

1. Whether any anomaly has been created in the matter of wages of Shri D. P. Bhojak Shri Sureshwar Sharan, Shri Din Dayal Singh and Shri S. D. Joshi, by way of giving three step increments and fitting in the grade of senior clerks to Shri S. B. Lal Bhatnagar, Jaswant Singh Raj Kumar and Virender Kumar as per O. Maheepathi's award dated 4-10-1969, if so, to what relief are they entitled ?

2. Whether the demand that stationery engine attendants and compressor attendants working as Pump Attendants may also be given the same uniforms as award to wiremen and attendants by Honable' Arbitration Shri O. Maheepathi in his award dated 21-2-71 is justified and so to what relief are the concerned workmen entitled to ?

3. Whether the principles laid down regarding promotion by the Memorandum of settlements dated 1-10-69 and 16-3-70 be made applicable to the following categories of workers and also whether new categories are to be created for promotion in the categories as suggested is justified and if so to what relief are the concerned workers entitled ?

Promotion (category-wise)

<i>From</i>	<i>To</i>
(i) Helper (Workshop)	Khalasi (Workshop)
(ii) Driver (Light Vehicle)	Driver (Truck Dumper & Tractor)
(iii) Driver (Truck Dumper & Tractor)	Bulldozer Operator
(iv) Generator Operator-cum-Switch Board Attendant	Senior Generator Operator-cum-Switch Board Attendant (New Post to be created in the grade of Rs. 130-35 scale)
(v) Senior Clerk & Senior Time Keeper	Assistant (New Post to be created in the grade of Rs. 130-325)
(vi) Turner 'A'	Turner Mechanic (New Post)
(vii) Telephone Attds.	Telephone Operator (New Post in the grade of Rs. 55-110)
(viii) Dresser	Senior Dresser (New Post—Rs. 55-110)
(ix) Cook Gardener	Senior Cook & Senior Gardener (New Post to be created in the grade of Rs. 55-110)

4. Whether the demand that the grade as incorporated in the Memorandum of settlement dated 2-10-67 be changed to Rs. 55-110 instead of Rs. 55-2-50-65-EB-5-110 from 2-10-67 i.e. the date of the said settlement ?

5. Whether the demand that the increment of Shri Gulab Singh which was withheld since 1-10-67 as part of disciplinary action should be released ?

6. Whether Shri Mahmood Shah, Chowkidar should be sanctioned one step additional increment from the date of his promotion as Chowkidar.

[No. L-29011/4/71-LR-IV.]

R. KUNJITHAPADAM, Under Secy.

नई दिल्ली, 29 मई 1971

क्र० आ० 2257.—यतः बिकानेर जिप्समस् लि० बिकानेर के प्रबंधतंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, जिनका प्रतिनिधित्व राष्ट्रीय जिप्सम कर्मचारी संघ, जामसार करता है, एक औद्योगिक विवाद विद्यमान है ;

और यतः उक्त नियोजकों और कर्मचारों ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की उपधारा (1) के उपबन्धों के अनुसरण में एक लिखित करार द्वारा उक्त विवाद को उसमें वर्णित व्यक्ति के माध्यस्थम् के लिए निर्देशित करने का करार कर लिया है और उक्त माध्यस्थम करार की एक प्रति केन्द्रीय सरकार को भेजी गई है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की उपधारा (3) के उपबन्धों के अनुसरण में, केन्द्रीय सरकार उक्त माध्यस्थम करार को, जो उसे 20 मई, 1971 को मिला था, एतद्द्वारा प्रकाशित करती है ।

(करार)

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अधीन)

पक्षकारों के नाम :

1. श्री एस० एन० राय, खान अधीक्षक, बिकानेर जिप्समस् लि०, बिकानेर ।

नियोजकों का प्रतिनिधित्व करने वाले :

2. श्री ए०के० मुखर्जी, कार्मिक प्रबन्धक, बिकानेर जिप्समस् लि०, बिकानेर ।

कर्मकारों का प्रतिनिधित्व करने वाले :

1. श्री दिलबाग सिंह उपाध्यक्ष, राष्ट्रीय जिप्सम कर्मचारी संघ, जामसार ।
2. श्री रमजान, राष्ट्रीय जिप्सम कर्मचारी संघ, जामसार ।

पक्षकारों के बीच निम्नलिखित औद्योगिक विवाद को श्री ओ० महीपथि, उप मुख्य श्रमायुक्त (केंद्रीय) भारत सरकार श्रम, रोजगार और पुनर्वास मंत्रालय, श्रम शक्ति भवन, रफी मार्ग नई दिल्ली के माध्यस्थ के लिए निर्देशित करने का करार किया गया है :—

1. विनिर्दिष्ट विवाद ग्रस्त विषय : जैसा कि संलग्न अनुबन्ध 'ए' में दिया गया है ।
2. विवाद के पक्षकारों का विवरण, जिसमें अर्न्तवर्तित 1. बिकानेर जिप्सम लि० सादुल क्लब, बिल्डिंग, बिकानेर (राजस्थान) और उनके कर्मकार जिनका प्रतिनिधित्व राष्ट्रीय जिप्सम कर्मचारी संघ, जामसार करता है ।
3. यदि कोई संघ प्रयुक्त कर्मकारों का प्रति- राष्ट्रीय जिप्सम कर्मचारी संघ, निधित्व करता हो तो उसका नाम जामसार ।
4. प्रभावित उपक्रम में नियोजित कर्मकारों की लगभग 206 । कुल संख्या
5. विवाद द्वारा प्रभावित या सम्भाव्यतः प्रभावित 50 प्रतिशत से कम । होने वाले कर्मकारों की प्राक्कलित संख्या

हम यह करार भी करते हैं कि मध्यस्थ का विनिश्चय हम पर आबद्ध कर होगा ।

मध्यस्थ अपना पंचाट छः मास की कालावधि या इतने और समय के भीतर जो हमारे बीच पारस्परिक लिखित करार द्वारा बढ़ाया जाय, देगा । यदि पूर्व वर्णित कालावधि के भीतर पंचाट नहीं दिया जाता तो माध्यस्थ के लिए निदेश स्वतः रह हो जायगा और हम नए माध्यस्थ के लिए बातचीत करने को स्वतंत्र होंगे ।

पक्षकारों के हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले

ह० /— एम० एन० राय
ह० /— ए० के० मुखर्जी

कर्मकारों का प्रतिनिधित्व करने वाले

ह० /— दिलबाग सिंह
ह० /— रमजान

4-5-71

साक्षी

1 ह० /—
4-5-71

2 ह० /—
तारीख :

अनुबन्ध 'ए'
विचारार्थ विषय

1. क्या श्री डी० पी० बजोजक, श्री सुरेश्वर शरण, श्री दीन दयाल सिंह और श्री एस०डी० जोशी की मजूरी के मामलों में, श्री एस० बी० लाल भटनागर, जसवंत सिंह, राजकुमार और वीरेन्द्र कुमार, सीनियर क्लर्कों को, उनके ग्रेड में श्री ओ० महिपथि के पचांट, दिनांक 4-10-1969 के अनुसार तीन वेतन वृद्धियां और 'फिटिंग' देकर कोई अपवाद दिया गया है? यदि हां, तो वे किस अनुतोष के हकदार हैं?

2. क्या उन स्टेशनरी इंजिन परिचरों और कम्प्रेसर परिचरों, जो पम्प परिचरों के रूप में कार्य कर रहे हैं की मांग कि उन्हें भी वही वर्गों दी जायें जो मानवीय विवाचक श्री ओ० महिपथि द्वारा वाचमैनो और परिचरों के लिये देने का निर्णय उनके पंचाट, दिनांक 21-2-1971 द्वारा किया गया था, न्यायोचित है और यदि हां तो सम्बन्धित कर्मकार किस अनुतोष के हकदार हैं?

3. क्या पदोन्नति के संबंध में समझौता ज्ञापन-पत्र दिनांक 1-10-1969 और 16-3-1970 में निर्धारित सिद्धांत कर्मकारों के निम्नलिखित वर्गों पर क्रियान्वित किये जायें और यह भी कि क्या जैसाकि सुझाव दिया गया है, पदोन्नति के लिए वर्गों में नये वर्गों का निर्माण कराना न्यायोचित है और यदि हां तो संबंधित कर्मकार किस अनुतोष के हकदार हैं?

पदोन्नति (वर्गकार)

से	तक
(1) हैलपर (वर्कशाप)	खलासी (वर्कशाप)
(2) ड्राईवर (हल्की गाड़ी)	ड्राइवर (ट्रक डम्पर और ट्रक्टर)
(3) ड्राइवर (ट्रक डम्पर और ट्रक्टर)	बुलडोजर आपरेटर
(4) जेनेरेटर आपरेटर एवं स्विच बोर्ड एंटेडेंट	सीनियर जेनेरेटर आपरेटर एवं स्विच बोर्ड एंटेडेंट (र० 130-325 के वेतन मान के ग्रेड में नये पद का निर्माण किया जाता है)
(5) सीनियर क्लर्क और सीनियर टाइम कीपर	सहायक (र० 130-325 के ग्रेड में नये पद का निर्माण किया जाना है)
(6) टर्नर 'ए'	टर्नर (मैकेनिक सभा पद)
(7) टेलीफोन एंटेडेंट	टेलीफोन आपरेटर (र० 55-110 के ग्रेड में नया पद)
(8) ड्रेसर	सीनियर ड्रेसर (र० 55-110 नया पद)
(9) रसोय्या, माली	सीनियर रसोय्या और सीनियर माली (र० 55-110 के ग्रेड में नये पद का निर्माण किया जाना है)

4. क्या यह मांग कि समझौता ज्ञापन-पत्र, दिनांक 2-10-1967 में समाविष्ट ग्रेड को 2-10-67 अर्थात् उक्त समझौते की तारीख से, र० 55-2-50-65-द० री०-5-110 के बदले र० 55-110 में परिवर्तित किया जाय, न्यायोचित है?

5. क्या ये मांग कि श्री गुलाब सिंह की वेतन वृद्धि जो 1-10-67 से अनुशासन की कार्यवाही के रूप में रोक दी गई थी, दे देनी चाहिए, न्यायोचित है।

6. क्या श्री महमूद शाह चौकीदार को उसके चौकीदार बनने की तारीख से एक अतिरिक्त वेतन-वृद्धि मंजूर की जानी चाहिए ।

[सं० एन-250011/4/71-एन आर-4]

आर० कृजिथ १०८, अवर सचिव ।

SHRAM AUR PUNARVAS MANTRAJAYA

(Shram Aur Rozgar Vibhag)

New Delhi, the 26th May 1971

S.O. 2258.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to

1. Messrs Shantilal Kushaldas and Brothers,
2. Messrs Marmagoa Navegador Limited,
3. Messrs F.C.R. Machado.
4. Messrs Agencia Ultramarina Private Limited,
5. Messrs Elesbao Pereira and Sons Marmagoa,
6. Messrs V. M. Salgaocar and Brothers Limited, Marmagoa Harbour, and their workmen, which was received by the Central Government on the 12th May, 1971.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE NO. CGIT-14 OF 1966

PARTIES:

Employers in relation to M/s. V. S. Dempo and Co. P. Ltd., Stevedore, Marmagoa Harbour.

AND

Their workmen.

REFERENCE NO. CGIT-19 OF 1966

PARTIES:

Employers in relation to

1. M/s. Shantilal Kushaldas & Bros.,
2. M/s. Marmagoa Navegador Limited.
3. M/s. F.C.R. Machado.
4. M/s. Agencia Ultramarina Private Limited.
5. M/s. Elesbao Pereira & Sons, Marmagoa.

AND

Their workmen.

REFERENCE NO. CGIT-20 OF 1966

PARTIES:

Employers in relation to M/s. V. M. Salgaocar and Bros. Ltd., Stevedores, Marmagoa Harbour.

AND

Their workmen.

PRESENT:

Shri A. T. Zambre.—*Presiding Officer.*

STATE: Union Territory of Goa.

INDUSTRY: Major Ports and Docks.

Bombay, dated 20th April, 1971

AWARD—PART II

Those three references pertain to the disputes between the employers who are stevedores and the workmen in their employ before the introduction of the Dock Workers (Regulation of Employment) Act which was made applicable to Marmagaoa Port with effect from 15th April, 1965. Some of the workmen were monthly rated winchmen and the remaining were temporary. In the year 1963 the employers and the unions had entered into a settlement in respect of wages, dearness allowance and other terms and conditions of service but the workmen contended that the employers did not carry out the terms of the settlement. Prices had also increased and hence the workers through the unions served the employers with demand notices dated 25th September, 1964 and 31st October, 1964 and informed the employers that unless the demands were conceded they would be forced to go on strike. They also raised a dispute before the Conciliation Officer but as the matter could not be settled the workmen as per the strike notice went on strike from 19th November, 1964. The differences between the parties could not be removed within a short period. But after prolonged discussions with the Conciliation Officer and the intervention of other officers the strike was withdrawn on the 27th January, 1965 and the workmen expressed their willingness to resume duty.

2. It is alleged that when the workers went to report for duty the employers instead of taking them back informed them that their names were struck off from the register and their services had been terminated. Subsequently as per the Dock Workers (Regulation of Employment) Act and the formation of the winchmen's pool some of the employees joined the pool and were registered. The dispute which was pending with the Conciliation Officer could not be settled and as many of the workmen had joined the winchmen's pool the Government referred the issue regarding the relief to which the workmen were entitled for, their past services their accumulated leave and other benefits from 27th January, 1965 to the date when they joined the winchmen's pool for adjudication to this Tribunal.

3. The employers had by their written statements raised various contentions such as maintainability jurisdiction and status of the employees. It was contended that as the dispute was from the Union Territory of Goa the Central Government that had made the references was not the appropriate Government and hence the references were void. It was further contended that the workers were not in the employ of the employers and they were not workmen and after hearing the parties at length by my award part I dated 6th November, 1968 I had held that the Central Government was the appropriate Government in respect of the disputes which pertained to the major port and the reference was valid and also found that the employees who were discharged from service were workmen and the references were fixed for hearing on merits.

4. The dispute involved about 700 workmen who were in the employ of the three concerns and the parties took several adjournments for negotiations. Ultimately when it was fixed for hearing at Goa on 14th April, 1971 they settled the dispute and filed consent terms. It was agreed that the employers should pay 10 days' wages for every completed year of service or a part thereof in excess of six months to all permanent winchmen as compensation towards the settlement in full of their claim under the references. Similarly it was further agreed that the employers should pay similar compensation to the semi-permanent or temporary employees. As almost all the employees were taken over by the Marmagaoa Dock Labour Board and had joined the winchmen's pool the workmen did not press their contention about reinstatement. The three employers and the workmen have given a joint application requesting the Tribunal to pass an award in terms of the settlement.

5. It is not in dispute that almost all the employees involved in these three references have been taken over by the Marmagaoa Dock Labour Board and are now members of the winchmen's pool. They have also been given compensation for their past service and the terms of settlement are reasonable. I accept the terms and pass an award in terms of the settlement annexure 'A' which shall form part of this Award.

No order as to Costs.

(Sd.) A. T. ZAMBRE,
Presiding Officer,
Central Government Industrial
Tribunal, Bombay.

ANNEXURE 'A'

BEFORE SHRI A. T. ZAMBRE, INDUSTRIAL TRIBUNAL (CENTRAL) NO. 1,
BOMBAY

1. REFERENCE NO. CGIT-14 OF 1966
2. REFERENCE NO. CGIT-19 OF 1966
3. REFERENCE NO. CGIT-20 OF 1966

Between the parties mentioned below:

Representing the Management

Representing the Workmen

- | | |
|--|--|
| 1. M/s. V. S. Dempo & Co. Pvt. Ltd. | Gerald Pereira |
| 2. M/s. Shantilal Khushaldas & Bros. Pvt. Ltd.
(Gosalia Shipping Pvt. Ltd.) | Marmagao Port Dock & Transport Workers' Union
now known as Marmagao |
| 3. M/s. Mormugao Navegadora Pvt. Ltd. | Waterfront Workers' |
| 4. M/s. Agencia Ultramarina Pvt. Ltd. | Union). |
| 5. M/s. Froilano C. R. Machado & Sons. | |
| 6. M/s. Elesbao Pereira & Sons. | |
| 7. M/s. V. M. Saigaocar & Brother Pvt. Ltd. | |

MAY IT PLEASE YOUR HONOUR:

The parties to the above referred to references have come to an amicable settlement in respect of the industrial disputes pending before Your Honour. A copy of the Settlement, only signed by the parties to the dispute is enclosed herewith.

The parties further pray that Your Honour may be pleased to pass an award in terms of the said Settlement.

12-4-71

(Sd.) A. V. PRABHU, Manager
(V.S. Dempo & Co. Pvt. Ltd.)
N. DATTANI, Manager
Sd/- (Shantilal Khushaldas & Bros.
Pvt. Ltd. (Gosalia Shipping Pvt. Ltd.)
(Sd.) V. G. KAMAT, Manager
(Mormugao Navegadora Pvt. Ltd.)
(Sd.) V. S. MANERKAR, Director
(Agencia Ultramarina Pvt. Ltd.)
(Sd.) F. C. R. MACHADO, Director
(Froilano F.C.P. Machado & Sons)
(Sd.) CIANO PEREIRA, Director
(Elesbao Pereira & Sons)
(Sd.) L. R. FERRAO, Personnel Officer
(V. M. Saigaocar & Brother Pvt. Ltd.)

(Sd.) GERALD PEREIRA,
Mormugao Port Dock &
Transport Workers' Union,
(now known as Marmagao
Waterfront Workers'
Union.)

Memorandum of Settlement under Section 2(p) of Industrial Disputes Act, 1947

Between the Parties mentioned below:

Representing the Management:

Representing the Workmen

- | | |
|---|---|
| (1) M/s. V. S. Dempo & Co. Pvt. Ltd. | Mr. Gerald Pereira |
| (2) M/s. Shantilal Khushaldas & Bros. Pvt. Ltd.
(Gosalia Shipping Pvt. Ltd.) | General Secretary,
Marmagao Waterfront Workers'
Union, Vasco Da Gama. |
| (3) M/s. Mormugao Navegadora Pvt. Ltd. | |
| (4) M/s. Agencia Ultramarina Pvt. Ltd. | |
| (5) M/s. Froilano C. R. Machado & Sons. | |
| (6) M/s. Elesbao Pereira & Sons. | |
| (7) M/s. V. M. Saigaocar & Brother
Pvt. Ltd. | |

Short Recital of the Case

The Government of India *vide* its Notification No. _____ dated _____ referred the matter to the Industrial Tribunal (Central) No. 1, Bombay, the issue of termination of the services of the winchmen employed by the employers covered under the Reference Nos. CGIT-14, 19 and 20 of 1966. During the pendency of this dispute, the parties to the reference discussed the possibility of having an amicable settlement and on 7th April, 1971, the parties have come to the following settlement:

Terms of Settlement

1. It is hereby agreed between the parties that, since the services of all the winchmen have been taken over by Mormugao Dock Labour Board, the Union agrees to drop the claim for reinstatement of all the workmen under these references.

2. The employers agree to pay 10 days' wages for every completed year of service or a part thereof in excess of six months to all their permanent winchmen as compensation towards the settlement in full of their claim under these references.

NOTE.—(a) In the case of wages the rate means the fixed pay payable to permanent winchmen prior to 19th November, 1964. (In case of M/s. Shantilal Khushaldas & Brothers Pvt. Ltd.—Gosalia Shipping Pvt. Ltd., prior to 10th November, 1964.

(b) Period of service means the period from the date on which a winchman is taken on the Muster Roll of the Company on permanent basis (i.e. fixed pay) and on which date atleast half day wages were granted as guaranteed pay throughout the month, upto the 10th February, 1965.

3. In respect of semi-permanent/temporary (to whom the managements were paying half days' wages as guaranteed pay in case of "no work"); the employers agree to pay the compensation equivalent to 10 days salary for each completed year of service or a part thereof in excess of six months at the salary rate of Rs. 75 per month.

NOTE:—Service means the period from the date from which the workman is entitled to half day's wages in case of 'no work' and is exclusively attached to the management upto 19th November, 1964 (In case of M/s Shantilal Khushaldas & Bros. Pvt. Ltd.—Gosalia Shipping prior to 10th November, 1964). It is guaranteed that no worker under this settlement shall be paid less than Rs 100.

4. The above settlement covers retrenchment compensation, notice pay, leave wages and wages for the period from 27th January, 1965 to 10th February, 1965.

5. It is agreed that the winchmen concerned will produce a letter from the Union as a means of their identification, and the Management will also check on the identity of the winchmen before effecting payment.

6. The parties further agree that a joint application be made to Honourable Industrial Tribunal (Central) No. 1 with a prayer for an award in terms of this settlement.

(Sd.) A. V. PRABHU,
(V.S. Scope & Co. Pvt. Ltd)

(Sd.) GERALD PEREIRA,
Mormugao Waterfront Workers' Union.

(Sd.) N. DATTANI,
Shantilal Khushaldas & Bros. Pvt. Ltd.
(Gosalia Shipping Pvt. Ltd.)

(Sd.) V. G. KAMAT,
(Mormugao Navegadora Pvt. Ltd.)

(Sd.) V. S. MANERKAR,
(Agencia Ultramarina Pvt. Ltd.)

(Sd.) F. C. R. MACHADO,
(Froilano C. R. Machado & Sons).

(Sd.) GIANO PEREIRA,
(Elesbao Pereira & Sons)

(Sd.) L. R. FERRAO,
(V. M. Salgaocar & Brother Pvt. Ltd.)

[No. 28/14/66-P. & D.]

S.O. 2259.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, (14 of 1947), Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation the Calcutta Port Commissioners and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD.

In the matter of a reference under section 10(2) of the Industrial Disputes Act, 1947.

REFERENCE No. 57 OF 1968

PARTIES:

Employers in relation to the Calcutta Port Commissioners, Calcutta
AND

Their Workmen.

Represented by the Calcutta Port Shramik Union, Calcutta.

PRESENT:

Shri A. C. Sen, Presiding Officer.

APPEARANCES:

For the Employers: Shri G. V. Karlekar, Labour Adviser and Industrial Relations Officer with Shri S. Naha, Labour Officer.

For the Workmen: Shri Makhan Chatterjee, General Secretary with Shri Syam Chakravarty, Advocate and Secretary, Calcutta Port Shramik Union.

STATE: West Bengal

INDUSTRY: Port.

Dhanbad, the 20th April, 1971.

AWARD

The employers in relation to the Calcutta Port Commissioners, Calcutta and their workmen represented by the Calcutta Port Shramik Union, Calcutta jointly applied to the Central Government for reference of an industrial dispute that existed between them to an Industrial Tribunal in respect of the matter set forth in the said application. Being satisfied that the persons applying represented the majority of each party the Central Government in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 referred to this Tribunal by its Order No. 28/53/68-LR.III, dated New Delhi, the 10th July, 1968, the following dispute for adjudication:

“Whether the demand of the staff attached to the Commissioners’ Hospitals for grant of turn of duty off during change over from night shift to afternoon shift as also from afternoon shift to night shift is justified? If so, what should be the relief”.

2. From the statements of both the parties it appears that the demand of the staff attached to the Commissioners’ Hospitals related to grant of turn of duty off during change over from night shift to afternoon shift as also from afternoon shift to morning shift and not to shift as stated in the schedule to the Order of Reference. Paragraphs 3, 4, 5 and 6 of the written statement submitted by the workmen, make the position clear. These three paragraphs are set out below:

“3. That the hours of work of the aforesaid staff of the Hospitals are arranged in three shifts as indicated below:

1:3 A.M. to 2 P.M.

2. 2 P.M. to 10 P.M.

3. 10 P.M. to 6 A.M.

4. That all members of the staff concerned work in three shifts by rotation from one shift to another after working for a week in each shift.

5. That those of the staff who are on the second shift from 2 P.M. to 10 P.M. on Sundays are required to report for duty at 6 A.M. on Monday".

3. The above extracts from the written statement of the workmen make it clear that the dispute relates to change over from night shift to afternoon shift on the one hand and from afternoon shift to morning shift on the other.

4. This position is corroborated by para 5 of the written statement submitted by the employers. The relevant portion of the said paragraph runs thus: ".... the staff attached to the Hospital and working on rotational shift duties..... are related in all the three shifts. The night shift staff go to the afternoon shift and get an interval of 8 hours. The afternoon shift staff go to the morning shift and get an interval of 8 hours....."

The workmen pointed out that the night shift staff in going to the afternoon shift get an interval of only eight hours and that the afternoon shift too in going to the morning shift get an interval of only eight hours. Their contention is that this interval of eight hours in both cases is too insufficient, and that the interval should be at least sixteen hours.

6. Hence the dispute relates to two matters: (1) change over from night shift to the afternoon shift; (2) change over from afternoon shift to the morning shift. There is no dispute in relation to change over from the afternoon shift to the night shift.

7. The dispute as stated in the schedule to the Order of the Central Government may be divided into two parts. The first part relates to change over from the night shift to the afternoon shift, and there was a real dispute between the parties before the passing of the aforesaid Order by the Central Government in relation to this change over. The second part relates to change over from the afternoon shift to the night shift, but there was no dispute between the parties before the passing of the aforesaid order in relation to this change over. Hence the aforesaid Order of the Central Government, in so far as it relates to the change over from the afternoon shift to the night shift was not passed in accordance with law. As a matter of fact the Central Government was not competent to refer any dispute in relation to the change over from the afternoon shift to the night shift for the adjudication of this Tribunal. Hence no award can be given with regard to the change over from the afternoon shift to the night shift. There was a real dispute in relation to change over from the afternoon shift to the morning shift but that dispute has not been referred to this Tribunal.

8. The Tribunal, shall, therefore, confine its attention only to the first part of the dispute as stated in the schedule to the aforesaid Order of the Central Government. In other words, an award shall be given only with regard to that part of the dispute as relates to the change-over from the night shift to the afternoon shift, because no award can be given with regard to the second part of the dispute which has been referred without jurisdiction.

9. It is not disputed that the night shift is from 10 P.M. to 6 A.M. and that the afternoon shift is from 2 P.M. to 10 P.M. It is also not disputed that those of the staff who are on the night shift i.e. from 10 P.M. to 6 A.M. on Sundays are relieved at 6 A.M. on Monday and that on the same day they are required to report for duty at 2 P.M. for the afternoon shift which is from 2 P.M. to 10 P.M.

10. It appears that the members of the staff whose duty is rotated in this manner are required to work on a Monday from 12 A.M. to 6 A.M. and again from 2 P.M. to 10 P.M. They are, therefore, required to work for 16 hours on Monday in changing over from the night shift to the afternoon shift. Clause (ff) of Rule 2 of the Minimum Wages (Central) Rules, 1950 provides that unless the context otherwise requires 'day' means a period of 24 hours beginning at mid-night.

11. Rule 24 of the Minimum Wages (Central) Rules, 1950 deals with the number of hours of work which shall constitute a normal working day. Sub-rule (2) of Rule 24 provides that the working of an adult worker shall be so arranged

that inclusive of the intervals for rest, if any, it shall not spread over more than 12 hours on any day. So, it appears that the members of the staff are required to work for 18 hours on a Monday in changing over from the night shift to the afternoon shift in contravention of Rule 24.

12. Mr. Karlekar appearing on behalf of the employers contended that such rotation of duty as required some of the members of the staff of work for 16 hours on a Monday was warranted by Rule 24-A dealing with night shifts. Let us test the validity of this contention. Rule 24-A provides as follows: where a worker in a scheduled employment works on a shift which extends beyond midnight—

(a) a holiday for the whole day for the purposes of Rule 23 shall in his case mean a period of twenty-four consecutive hours beginning from the time when his shift ends; and

(b) the following day in such a case shall be deemed to be the period of twenty-four hours beginning from the time when such shift ends, and the hours after midnight during which such worker was engaged in work shall be counted towards the previous day."

This Rule primarily deals with the question of the weekly day of rest under Rule 23 of the Minimum Wages (Central) Rules, 1950. The hours after midnight during which the workman was engaged in work shall be counted towards the previous day only for the purpose of ascertaining the following day of twenty-four hours during which the workman is to enjoy a holiday. Rule 24-A does not in any way modify or qualify sub-rule (2) of Rule 24, which says that the working day of an adult worker must not spread over more than 12 hours on any day.

13. It may, therefore, be safely concluded that the demand of the staff attached to the Commissioners' Hospitals for grant of turn of duty off during change-over from night shift to the afternoon shift is perfectly justified in view of the provisions contained in sub-rule (2) of Rule 24 of the minimum Wages (Central) Rules, 1950. Apart from legal justification, the interval of eight hours for changing over from the night shift to the afternoon shift is too insufficient. I fully agree with Mr. Chatterjee appearing on behalf of the workmen that there should at least be an interval of 16 hours.

14. Hence my award is as follows. The demand of the staff attached to the Commissioners' Hospitals for grant of turn of duty off during change-over from night shift to afternoon shift is justified. When they work in the night shift they should not be required to work in any shift earlier than the next night shift. I make no award as to the demand of the aforesaid staff for grant of turn of duty off during change-over from afternoon shift to night shift, as, for the reasons stated above, I am not competent to do so.

15. A copy of this award may be forwarded to the Central Government under section 15 of the Industrial Disputes Act, 1947.

(Sd.) A. C. SEN,
Presiding Officer.

[No. 28(53)/68-P&D.]

New Delhi, the 28th May 1971

S.O. 2260.—In exercise of the powers conferred by sub-sections (3) and (4) of Section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby appoints Shri T. K. Parameswaran Nambiar, Chairman, Madras Port Trust as Chairman and Member of Madras Dock Labour Board on and from the 12th April, 1971 vice Shri A. Venkatesan and makes the following further amendment in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3475 dated the 23rd September, 1968.

In the said notification, for the words and letter "Shri A. Venkatesan" in both places where they occur, the words and letters "Shri T. K. Parameshwaran Nambiar" shall be substituted.

[No. 54/5/69-Fac. II.]

(श्रम और रोजगार विभाग)

नई दिल्ली, 28 मई, 1971

का० आ० 2260.—डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) को धारा 5—क को उभाराओं (3) और (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एन० द्वारा श्री ए० के० परमेश्वरन नम्बियार, अध्यक्ष, मद्रास पोर्ट ट्रस्ट को श्री ए० वेंकटसन के स्थान पर 12 अप्रैल, 1971 को और से मद्रास डाक श्रम बोर्ड के अध्यक्ष और सदस्य के रूप में नियुक्त करती है और भारत सरकार के श्रम, रोजगार और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० आ० 3475, तारीख 23 सितम्बर, 1968 में और आगे निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में, 'श्री ए० वेंकटसन' शब्दों और अक्षर के, उन दोनों स्थानों में जहाँ वे आते हैं, तथा 'श्री ए० के० परमेश्वरन नम्बियार' शब्द और अक्षर प्रतिस्थापित किए जाएंगे।

[नं० 54/5/69-फैक०-2]

अर्जुन चन्द्र, अपर सचिव।

New Delhi, the 28th May 1971

S.O. 2261.—The following draft of certain Scheme to amend the Calcutta Dock Clerical and Supervisory Workers (Regulation of Employment) Scheme, 1970, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 7th July, 1971.

2. Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Scheme

1. This Scheme may be called the Calcutta Dock Clerical and Supervisory Workers (Regulation of Employment) Amendment Scheme, 1971.

2. In the Calcutta Dock Clerical and Supervisory Workers (Regulation of Employment) Scheme, 1970.—

(1) in clause 2.—

(i) in sub-clause (i)—

(a) in item (i) the words "but not more than adequate" shall be omitted;

(b) for item (iii) the following item shall be substituted, namely:—
“(iii) progressive fulfilment of the ultimate objective of complete decasualisation”;

(c) after sub-clause (4), the following sub-clause shall be inserted, namely:—

“(5) Nothing in this Scheme shall apply to any worker who is engaged in work relating to the handling of salt or in performing Chipping and Painting work in the port.”;

(2) in clause 14, after sub-clause (1), the following sub-clause shall be inserted, namely:—

“(1A) The Board may, if considered necessary for the efficient performance of work, further classify the workers of any category into sub-categories.”;

(3) in clause 16—

- (a) in sub-item (i) of item (b) of sub-clause (5), for the figures and words "21 days' minimum guarantee wages and gross daily wages that accrue to them for the days worked", the words and figures "the gross daily wages that accrue to them for the days worked, subject to a minimum of 21 days gross daily wages in a month" shall be substituted;
- (b) in item (a) of sub-clause (8), for the words figures and letter "who were on 1st January 1970 in permanent employment of Shipping Companies or Steamer Agents on a monthly salary basis shall not be registered but they can work without being registered. Their names shall be entered in Register 'C'—employerwise and categorywise" the words, figures and brackets "whose names are entered in Register 'C' (employerwise and categorywise) are not considered registered workers for the purposes of this Scheme, but they shall be allowed to work and carry out the duties and responsibilities of similar Dock Clerical and Supervisory workers registered under this Scheme", shall be substituted;

(4) in clause 28,—

after sub-clause (4), the following clause shall be substituted, namely:—

"(5) All workers whose names are entered in Registered 'B' initially when this Scheme comes into force shall be paid a minimum guarantee of 21 days gross wages in a month appropriate to the category to which he permanently belongs. All workers whose names are entered in this register subsequently shall be governed by the provision of sub-clause (1)".

NOTE:—For the purpose of this clause the word "category" wherever it appears shall be deemed to include all classifications of sub-categories as may be made by the Board from time to time under clause 14";

- (5) in Schedule IV, the sentences commencing with the words "If the average" and ending with the words "shall never be decreased" in the end shall be omitted.

[No. F. S-68013/1/71-P&D.]

New Delhi, the 31st May 1971

S.O. 2262.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of Shri S. M. Dikhale, Arbitrator in the industrial dispute between the employers in relation to Messrs Kanji Jadhavji and company, Bombay and their workmen represented by the Transport and Dock Workers Union, Bombay which was received by the Central Government on the 4th May, 1971.

In the matter of Arbitration in the Industrial Dispute over the non-implementation of the Interim Recommendations of the Central Wage Board for Port & Dock Workers between Messrs. Kanji Jadhavji & Co., Bombay and the Workmen represented by the Transport Dock Workers' Union, Bombay.

PRESENT:

Shri S. M. Dikhale, Deputy Chairman, Bombay Dock Labour Board, Arbitrator.

Representing Employer—1. Shri P. H. Puray, Legal Adviser to Messrs. Kanji Jadhavji & Co., Bombay. 2. Shri S. T. Shah. 3. Shri H. N. Trivedi, Officers of Messrs. Kanji Jadhavji & Co., Bombay.

Representing Workmen—1. Shri H. K. Soni, Legal Adviser to Transport & Dock Workers' Union, Bombay. 2. Shri S. R. Kulkarni. 3. Shri K. A. Khan, Secretaries of the Transport & Dock Workers' Union, Bombay. 4. Shri I. S. Sawant, Officer of the Transport & Dock Workers' Union, Bombay.

STATE: Maharashtra.

INDUSTRY: Ports & Docks.

AWARD

1. By an Arbitration Agreement under Section 10A of the Industrial Disputes Act, 1947 (Act 14 of 1947) dated the 30th June, 1970, Messrs. Kanji Jadhavji & Co., Bombay and the Transport & Dock Workers' Union, Bombay, representing cement handling workers, one Mukadam and cement Palawalas working at Bombay Port Trust Transit Sheds in Bombay Docks, agreed to refer the Industrial Dispute with regard to the non-implementation by Messrs. Kanji Jadhavji & Co., of the Interim Recommendations of the Central Wage Board for Port & Dock Workers in respect of the workmen mentioned above. Thereafter by an Order dated 23rd October 1970, the Government of India, Ministry of Labour, Employment & Rehabilitation (Department of Labour & Employment), in pursuance of sub-section (3) of Section 10A of the Act was pleased to publish the Arbitration Agreement in the official Gazette of India. By the said Agreement the parties agreed to refer the following issue to my Arbitration and further agreed to treat my Award as binding on them.

"Whether Messrs. Kanji Jadhavji & Co., Bombay are justified in not implementing the Interim Recommendations of the Central Wage Board for Port and Dock Workers in respect of cement handling workers, one Mukadam and Cement Palawalas at Bombay Port Trust Transit Sheds in Bombay Docks. If not, whether the concerned workmen are entitled to the benefits as per the recommendations of Central Wage Board for Port & Dock Workers".

2. On receipt of the reference by me, I issued a joint letter, Reference No. PA/260/70, dated 3rd November, 1970 to Messrs. Kanji Jadhavji & Co., and the Secretary, Transport & Dock Workers' Union wherein I had requested the said Union to file their written statement of claims before me latest by the 7th November, 1970 with a copy to Messrs. Kanji Jadhavji & Co., who were in turn requested to file their rejoinder to the written statement of claims made by the Union not later than the 11th November, 1970. I had also intimated to both the parties that I would be holding a joint meeting on the 12th November, 1970 at 2.30 P.M. in my office.

3. Accordingly, I held a joint meeting of the parties on the 12th November, 1970 when Shri K. A. Khan, Secretary of the Transport & Dock Workers' Union was present with Shri I. S. Sawant, an official of the same Union. At the joint meeting the Union representatives handed over their statement of claims to me and a copy of the same to Shri D. M. Utakar, authorised representative and Junior Legal Adviser to Messrs. Kanji Jadhavji & Co. It was agreed at this meeting that the next arbitration proceedings would be held on the 25th November, 1970 at 2.30 P.M. in my office. It was further agreed at this meeting that the employer would file his rejoinder to the written statement of claims of the Union on or before the 19th November, 1970. However, Shri P. H. Purav, Legal Adviser to Messrs. Kanji Jadhavji & Co., by his application dated the 18th November, 1970 sought my consent to allow the employer time till 24th November, 1970 to file his rejoinder to the written statement of claims of the Union. This was agreed to by me and the employer accordingly filed his rejoinder on the 24th November, 1970.

4. Joint meetings were held on 13th February, 1971, 27th February, 1971, 13th March, 1971 and 10th April, 1971. At these meetings Shri P. H. Purav, Legal Adviser to M/s. Kanji Jadhavji & Co., Shri S. T. Shah and Shri H. N. Trivedi represented the employer. Shri H. K. Soni, Legal Adviser to the Transport & Dock Workers' Union, Shri S. R. Kulkarni and Shri K. A. Khan, Secretaries of the Transport & Dock Workers' Union and Shri I. S. Sawant, an official of the Transport & Dock Workers' Union represented the workmen.

5. Shri Purav raised several preliminary objections which are disposed of as follows:—

6. Shri Purav argued that the Pallewallas are not the company's employees but are employees of the contractor Smt. Chandibi. Mukadam is also not the employee of the company. To prove his contention that these workmen are not the employees of the company, Shri Purav filed an Affidavit of one Shri H. N. Trivedi.

7. I observe that the same objection was raised by the company before Shri M. G. Wanare, Assistant Labour Commissioner (C), Bombay before whom the very employer and the Union had gone for arbitration over a dispute relating

to the concerned workmen for increase in the rate of wages relating to piece-rate. I further observe that the employer accepted the terms of settlement in the arbitration proceedings before Shri Wanare, as well as the very same parties had signed a settlement resulting in consent Award before the Central Government Industrial Tribunal at Bombay in Reference No. CGIT-19 of 1963 where these parties never raised the issue of employership even though while signing the settlement, the parties agreed to certain terms of settlement with the opening words "without prejudice to the parties contentions". It is thus obvious that the concerned employer had not pressed the point of employership before the Industrial Tribunal. I, therefore, hold that M/s. Kanji Jadhavji & Co., are the principal employer of these categories of workmen.

8. Shri Purav argued that the Award in Reference No. 4/68 of Shri Salim Merchant has not been terminated and therefore the present reference which is essentially for wage revision is not valid and is bad in law.

9. Shri Soni stated that the fact that the employer and the Union have signed the settlement for arbitration of the dispute before the Hon'ble Arbitrator would itself indicate that they have agreed to terminate the Award in question. No formal notice of termination of Award was, therefore, necessary.

10. I am in agreement with the contention expressed by Shri Soni, as above. The very fact that the employer and the Union have come up before me by signing a joint settlement for the arbitration of the present dispute would indicate that they had the intention of terminating or superseding the Award even though there has been no formal notice from either side for the termination of the Award. I, therefore, hold that the present reference is not bad in law and thus valid. In my opinion also it is not necessary for the parties to terminate any subsisting settlement or awards, prior to the constitution of the Wage Board for Port & Dock Workers while implementing the final recommendations of the said Wage Board, duly accepted by the Central Government.

11. Shri Purav further contended that the Award in Reference No. CGIT 4 of 1964 and the Award in Reference No. CGIT 49 of 1963 have so far not been terminated and therefore the present reference is bad in law according to the provisions of the Industrial Disputes Act, 1947.

12. Shri Soni stated that there was no need to terminate the Award in Reference No. CGIT 4 of 1964 as the claim was made as per the recommendations of the Wage Board. Further, as the matter was pending before the High Court, the question of termination did not arise. There were also prolonged negotiations between the parties mutually as well as in Conciliation. Thus by the act of the parties it was clear that both the parties had intention to terminate the Award. As regards the Award in Reference No. CGIT 49 of 1963, the Union has filed a copy of their letter No. TD/179/187/66 dated 2nd February, 1966 written to the employer which clearly indicates that the Union had given a notice of termination to the employer. This fact was not disputed by Shri Purav.

13. I, therefore, agree with Shri Soni's contentions.

14. According to Shri Purav, the Wanare's Award fixing the wages of Pallawallas & Mukadam has taken into consideration interim recommendations of the Wage Board. Therefore, the present reference is not maintainable.

15. Shri Soni argued that the Wanare's Award had not taken into consideration the Interim Recommendations of the Wage Board. What Shri Wanare has awarded is merely an increase in the piece-rate earnings of the workmen whereas the Wage Board has recommended a daily or monthly wage under an incremental scale with a minimum monthly scale of pay, a scheme of Dearness Allowance based on the working class cost of living index and other allowances. The same cannot be translated into the piece-rate system of wages. As the piece-rate then offered to the concerned workmen was very low, Shri Wanare has merely increased the piece-rate. In view of this, Shri Soni contended that the Hon'ble Arbitrator had jurisdiction to go into the merits of the case and award interim recommendations of the Wage Board to be made applicable to the concerned workmen.

16. I also find from Shri Wanare's Award that he has nowhere stated that he was awarding a higher piece-rate taking into consideration the Interim Recommendations of the Wage Board. The contention of the employer that Shri Wanare has taken into consideration the Interim Recommendations of the Wage Board is, therefore, not sustained.

17. Shri Purav further argued that the concerned workmen are not covered by the recommendations of the Wage Board as they do not fall within the definition of 'dock worker'. The employer is, therefore, fully justified in not implementing the Interim Recommendations of the Wage Board.

18. Shri Soni contended that the concerned workmen were dock workers. He stated that the definition of 'dock worker' was very wide as contained in the Dock Workers' (Regulation of Employment) Act, 1948. The definition of 'dock worker' given in the Dock Workers (Safety, Health and Welfare) Scheme, 1961 is more explicit and definitely covers the concerned workmen also. As such the Wage Board was competent to include the concerned workmen in their recommendations. The Wage Board had accordingly included these workmen. According to Shri Soni, all workers engaged in the docks or even in the vicinity of the docks in connection with loading or unloading operations, storage, movement of cargoes, etc., were dock workers and the concerned workmen were carrying out similar work and therefore they were dock workers. Shri Soni quoted the case of M/s. Krishna Commercial Company and M/s. Mahesh Transport Co., before the Central Government Industrial Tribunal, Shri A. T. Zambre in Reference No. CGIT 73 of 1965. Shri Zambre had held that the workmen of these two companies who were employed on cement/clinker at the Bombay Port were "dock workers".

19. I am in agreement with Shri Zambre and for the same reasons as set out in his Award, I also hold that the concerned workmen in the present dispute are also 'dock workers'.

20. Shri Purav further argued that without prejudice to the contentions expressed by him earlier, in the event the learned Arbitrator holds that the concerned workmen are 'dock workers' and that the Interim Recommendations of the Wage Board should be made applicable to them, his submission was that the Wage Board has travelled beyond its terms of reference. He stated that any wage fixation body cannot travel beyond its terms of reference. By Resolution No. WR-21(4)/64 dated 13th November, 1964, the Central Government constituted the Central Wage Board for Port & Dock Workers. The Wage Board, at its own discretion, added clause 'E' whereby it covered certain other categories of workmen. By addition of this clause the Wage Board has gone beyond its terms of reference. Mere acceptance by the Government of the recommendations of the Wage Board does not make it obligatory on his employer to implement the decisions of the Wage Board in so far as the cement handling workers are concerned. Shri Purav added that the Wage Board had also surpassed its jurisdiction. It not only granted Interim Relief but also prescribed a scheme of Dearness Allowance linked with the cost of living index which Dearness Allowances would go on increasing as and when the Central Government increased the Dearness Allowance of its employees. The question is, therefore, whether as an Interim Relief such a scheme of Dearness Allowance could be laid down by the Wage Board. His further submission is that at best the Wage Board should have granted Dearness Allowance on a flat basis and that the Wage Board was not competent to lay down a scheme of Dearness Allowance because the scheme of Dearness Allowance calls for consideration of several things. He further stated that the demand of the Labour was for Interim Relief and not for a scheme of Dearness Allowance. Shri Purav also argued that the period of Interim Relief recommended by the Wage Board was very long. The Interim Relief is operative from 1st October, 1964 to 31st December, 1968 as the final recommendations of the Wage Board are effective from 1st January, 1969.

21. Shri Soni stated that the Wage Board for Port & Dock Workers was a duly constituted body by the Central Government with directions to go into the wage structure of the Port & Dock Workers. The definition of 'Wage' includes Dearness Allowance as one of the components of the Wage. The Wage Board was, therefore, within its powers to prescribe a scheme of Dearness Allowance.

22. There is no doubt that the definition of 'Wage' includes Dearness Allowance also as one of the components that go to make 'Wage'. I, therefore, agree with the contention of Shri Soni. I also hold that the Wage Board was equally competent to recommend a scheme of Dearness Allowance based on Central Government scale of Dearness Allowance by way of Interim Relief.

23. Having disposed of the preliminary objections raised by Shri Purav, I would now deal with the other arguments advanced by both the parties in support of their respective claims.

24. In so far as the financial position of the employer is concerned, Shri Purav argued that the employer has no capacity to bear such a huge financial burden

for making payment of Interim Relief, as recommended by the Central Wage Board for Port & Dock Workers, from 1st October, 1964 to 31st December, 1968 in the event the learned Arbitrator holds that the concerned workmen are 'dock workers', and that the Interim Recommendations of the Wage Board should be made applicable to them. Arguing his point further, Shri Purav stated that the employer received from the consignees only 75 paise per ton of cargo handled by the workmen on piece-rate basis. The employer paid to the concerned workmen 50 paise per ton. From the balance 25 paise, the employer had other expenses to meet such as Bonus at 4 per cent, Establishment Cost for the Dock Staff, etc. There were also sundry expenses which the employer had to incur on this business. Allowing for all such expenses from the income, there is nothing left with the employer for any additional burden to be borne by the employer. Shri Purav, in order to prove his contention that the employer had no capacity to bear the additional financial burden for payment of Interim Relief, produced the Profit and Loss Accounts Statements of the company for the years 1966 to 1970 and other relevant financial statements, duly certified by their Auditors, Shri Purav added that in fact the entire clearing department of the employer was making continuous losses. Shri Purav also referred to the work that was lost by the employer. He stated that in place of work lost, no new work was secured by the employer. Shri Purav further argued that the cement handling workers earned Rs. 400/450 per month which is a very high wage. As such they did not deserve any Interim Relief. The employer was, therefore, justified in not implementing the Interim Recommendations of the Wage Board.

25. Replying to the above contentions, Shri Soni stated that the employer is not justified in not implementing the Interim Recommendations of the Wage Board. Shri Soni further stated that the Wage Board was appointed on 13th November, 1964. The first Interim Relief of Rs. 7.80 was recommended by the Wage Board on 9th April, 1965 including payment of Dearness Allowance based on Central Government scheme of Dearness Allowance. The Government had accepted the same on 27th April, 1965. The Second Interim Relief of Rs. 4/- was recommended by the Government on 19th October, 1966. The final report of the Wage Board was submitted on 29th January, 1969. Government accepted the same on 28th March, 1970, and agreed to give effect to the same from 1st January, 1969. Therefore, according to Shri Soni whatever benefits that have accrued to the dock workers from the time the Wage Board was appointed till the final recommendations of the Wage Board were given effect to i.e. 1st January, 1969 could be termed as Interim Recommendations and the same should be made applicable to the concerned workmen.

26. Shri Soni further stated that he had called upon the employer to produce their Income-tax Assessment Orders for the relevant years. They have not produced the same. The employer has shown continuous losses. The losses shown by the employer are such that if all the losses are added up together the entire capital of the employer would be wiped out. The employer has not been able to show how they are carrying on business inspite of losses. The Legal Adviser of the employer has argued that the employer has to carry on business inspite of losses in the hope that business will come back to the employer later. The Legal Adviser of the employer has also contended that the overall business of the employer showed losses but the losses were more in the clearing department and more particularly in the cement department. Shri Soni argued that the statements filed by the Legal Adviser on behalf of the employer relating to the accounts statements were in fact extracts taken from the books of accounts of the employer. Even though these extracts were duly certified by the Auditors, no reliance could be placed on them as they do not reveal the actual financial position of the employer. Shri Soni pointed out various defects in the statements of accounts submitted by the employer. He stated that they were not properly audited statements of accounts and therefore no importance can be given to them. The Auditors had merely certified "extracts taken from the books of accounts, etc.". In view of this, Shri Soni contended that these accounts statements were specially prepared for the particular department as per instructions and convenience of the employer. It was Shri Soni's contention that all the expenses shown in the accounts statements need not necessarily be incurred for the cement handling department only, e.g. he pointed out the item of salaries paid to the employees of Rs. 1,19,228.64 which is shown in the accounts statement pertaining to the year 1966. He stated that this figure definitely does not represent the actual salaries paid to the staff of clearing department only. Salaries of staff working for other departments are also debited to this account. He, therefore, maintained that this is not entirely the expenditure incurred on the clearing and forwarding department only.

27. Pointing out to the accounts statements for the year 1966, Shri Soni stated that the sum of Rs. 45,376.30 which is shown as 'Bonus' paid is also not necessarily the amount paid to the staff of clearing department only. He added that in so far as the cement clearing work is concerned, there are no separate accounts maintained. Shri Soni then pointed out several other defects in the statements of accounts. He suggested that he would be prepared to place reliance on the Income-tax Assessment Orders for the relevant years if the employer could produce the same but he could not place any reliance on the accounts statements submitted by the employer. Unless balance sheets of the entire company are produced, he could not accept the figures shown in the statements of accounts. Shri Soni further emphasised that the Wage Board had made recommendations after taking into consideration the financial capacity to pay of the 'industry' as a whole. It would, therefore, not be proper for the employer to say that they cannot pay the Interim Relief because the company was making continuous losses since the question has been examined by the Wage Board on industry-wise basis and not on unit basis.

28. As regards the work lost by the employer, Shri Soni stated that the employer has not produced any documentary evidence to show that any permanent contracts had been lost. No doubt, some work might have been lost but in that place the employer might have secured new work since the employer has not shown that there were any long term contracts and these contracts had been lost. Even assuming, without admitting, that the employer has no capacity to pay, there shall be no discrimination on this point as the employer has not closed his business either partially or wholly.

29. With regard to Shri Purav's argument that the cement loaders earn Rs. 400/450 per month and as such it was not necessary to extend the benefit of the Interim Recommendations to them, Shri Soni stated that this is not correct and untenable. As a matter of fact these are piece-rated workers and no daily wage is payable to them. Their earnings fluctuate depending upon the volume of output. At times they earn less and at times they earn more but in no case, their earning is on an average Rs. 400/450 per month. As a matter of fact from the statement of wages earned by these workmen produced by the employer it is observed that these workmen earn Rs. 250/300 per month on an average. Even assuming, without admitting, that these workmen earn Rs. 400/450 per month, they are entitled to receive the benefit of the Interim Recommendations as other dock workers who are earning higher wages than these workmen have also been made eligible to receive the benefits of the Interim Recommendations.

30. I have gone through the arguments advanced by both the parties very carefully. I have also examined and scrutinised the evidence produced by the parties thoroughly. I have no doubt in my mind that the concerned workmen are dock workers and thus they are entitled to get the full benefit of the Interim Recommendations made from time to time by the Central Wage Board for Port & Dock Workers. The Interim Recommendations include Rs. 7.80 given by the Wage Board on 9th April, 1965 and Rs. 4/- on 19th October, 1966. The Interim Recommendations also include the rise in Dearness Allowance granted by the Central Government during the period from 13th November, 1964 to 31st December 1968 from time to time. However, I feel the employer deserves some consideration as its present financial position is not very satisfactory. In fact, I am led to believe that since 1966 onwards the employer's overall financial position was constantly deteriorating and I do not think the employer could have made any profits during these years even though the losses shown by the employer in the statements of accounts for these years produced before me are not accepted as correct on the ground that the same are not quite authentic. The very Union (namely, Transport & Dock Workers' Union, Bombay) had shown similar consideration to the Clearing Agents operating at Bombay Port, when, by way of mutual settlement in October, 1969, had accepted lesser amounts towards the arrears arising out of the Interim Recommendations made by the Central Wage Board for Port & Dock Workers. On the same basis this employer also deserves some consideration particularly in their present plight.

31. During the joint hearings, it was also brought to my notice that the employer wanted to increase the strength of cement handling workers as the number of such workers available was found to be inadequate to cope up with the speedy work. The employer made several efforts in that direction. But the Union always opposed increasing the strength. As a result of this, it was pointed out to me that the work got delayed and the employer had to pay demurrage on several occasions to the Port Trust. Secondly, it was also brought to

my notice that as the strength of cement handling workers was inadequate and the parties who came to take delivery of the cement were anxious to lift the cement as quickly as possible, used to bring their own labourers and with their help got the cement loaded in the trucks. In such cases also, I was told, the employer's workers were paid full piece-rate wages as if the work was done by them. This appears to be true as the Union has not seriously refuted this allegation. These factors also make me inclined to show some consideration to the employer. But at the same time, the employer cannot be rewarded for lapses on his part in not implementing the Interim Recommendations of the Central Wage Board for Port & Dock Workers at proper times. The concerned workmen also cannot be allowed to suffer for no fault of theirs.

32. The final recommendations of the Central Wage Board for Port & Dock Workers which were accepted by the Central Government were brought into force with effect from 1st January, 1969. Thus the Interim Recommendations of the said Wage Board were in force during the period from 1st October, 1964 to 31st December, 1968. The average employment of the concerned workmen varied from 20 to 25 days in a month. Keeping all this in view and what I have stated in foregoing paragraphs Nos. 30 and 31, I award that each workman covered under this award should be paid an *ad hoc* amount of Rs. 1200/- (Rupees Twelve hundred only) in full and final settlement of his claim in respect of arrears arising out of the Interim Recommendations of the Central Wage Board for Port & Dock Workers. I was told that the employer has already paid an advance of Rs. 500/- (Rupees Five hundred only) to each of these workmen. If it is so, then each of them should be paid the remaining amount of Rs. 700/- (Rupees seven hundred only). If any of the concerned workman has not been paid any advance by the employer so far against this claim, such workman should be paid Rs. 1200/- (Rupees Twelve hundred only). The payment should be made to the concerned workmen within thirty days from the date this Award is published in the Central Government Gazette. I hope this will meet the ends of justice.

(Sd.) S. M. DIKHALE,
Deputy Chairman,
Bombay Dock Labour Board,
(Arbitrator).

Bombay, dated 29th April, 1971.

[No. 28(117)/66-P&D.]

AJIT CHANDRA, Under Secy.

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(Department of Labour and Employment)

ORDER

New Delhi, the 20th March 1971

S.O. 2263.—Whereas, the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the Singareni Collieries Company Limited, Post Office Kothagudem Collieries (Andhra Pradesh) and their workmen in respect of the matters specified in the Schedule hereto annexed.

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri T. Chandrasekhara Reddy, as Presiding Officer with headquarters at Afzal Lodge, Tilak Road, Ramkote, Hyderabad-1, and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

"Whether the management of Singareni Collieries Company Limited, Kothagudem is justified in not confirming Shri A. Bixamalah, Shri Rajeswararao, Shri Gazula Ramulu, Shri Pandu Rangam, as per Wage Board recommendations, from the dates they are working as Assistant Boiler Attendants."

Whether the management of Singareni Collieries Company Limited is justified in not confirming Shri P. Tirupataiah as Boiler Attendant in the grade of Rs. 245—440 having regard to the period of his officiating service in higher category? If not, to what relief is the workman entitled?"

[No. 7/14/70-LR-II.]

KARNAIL SINGH, Under Secy.

अम, रोजगार और पुनर्वासि मंत्रालय

(अम और रोजगार विभाग)

आदेश

नई दिल्ली, 20 मार्च, 1971

का० आ० 2263.—प्रतः केन्द्रीय सरकार की राय है कि इस में उपावद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में सिंगारेनी कोलियरीज कम्पनी लिमिटेड डाकघर कोठागुडियम कोलियरीज (ग्रान्ध प्रदेश) से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री टी० चन्द्रशेखर रेड्डी होंगे, जिनका मुख्यालय अफजल लौज, तिलक रोड, रामकोटे, हैदराबाद-1 होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या सिंगारेनी कोलियरीज कम्पनी लिमिटेड, कोठागुडियम के प्रबन्धतंत्र का श्री ए० बिकसामाड्याह, श्री राजेश्वर राव, श्री गजुला रामुलु, श्री पांडु रंगम को भजदूरी बोर्ड की सिफारिशों के अनुसार, उन तारीखों से जिनसे वे सहायक बायलर परिचारक के रूप में कार्य कर रहे हैं स्थायी न करना उचित है ?

क्या सिंगारेनी कोलियरीज कम्पनी लिमिटेड का श्री पी० तिरुपतैह का, उसकी उच्चतर प्रवर्ग में की गई स्थानापन्न सेवा की अवधि को ध्यान में रखते हुए, 245—440 रु० के ग्रेड में बायलर परिचारक के रूप में पुष्टीकरण न करना न्यायोचित है ? यदि नहीं तो कर्मकार किस अनुतोष का हकदार है ?

[संख्या 7/14/70-एल० आर०-2]

कर्नल सिंह, अवसर सचिव ।

(Department of Labour and Employment)

ORDER

New Delhi, the 12th April 1971

S.O. 2264.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Madhuband Colliery of Messrs Oriental Coal Company Limited, Post Office Nudkharkee, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 2), Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

"Whether the action of the management of Madhuband Colliery of Messrs Oriental Coal Company Limited, Post Office Nudkharkee, District Dhanbad, in refusing employment to Sarvashri Kamal Mahato, Lino Mistry and Meghlal Mahato, Fireman, with effect from the 25th November, 1970 and the 23rd November, 1970 respectively is justified? If not, to what relief are the workmen entitled?"

[No. L/2012/30/71-L.R.II.]

U. MAHABALARAO, Dy. Secy.

(अस और रोडगार विभाग)

आदेश

नई दिल्ली, 12 अप्रैल, 1971

का० प्रा० 2264.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मेसर्स ओरियण्टल कोल कम्पनी लिमिटेड, डाकघर नदखुर्की, जिला धनबाद की मधु-बन्द कोलियरी के प्रबन्धन में सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है :—

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अस, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम, की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण (संख्या 2) धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या मेसर्स ओरियण्टल कोल कम्पनी लिमिटेड, डाकघर नदखुर्की, जिला धनबाद की मधु-बन्द कोलियरी के प्रबन्धन की सर्वश्री कमल महतो, लाइन मिस्त्री और मेंगलाल महतो, फायरमैन को क्रमशः 25 नवम्बर, 1970 और 23 नवम्बर, 1970 में नियोजित करने से इन्कार करने की कार्यवाही न्यायोचित है? यदि नहीं तो कर्मकार किस अनुतोष के हकदार हैं।

[सं० एल/2012/30/71-एल० आर०-2]

यु० महाबलारव, उप सचिव।

(Department of Labour and Employment)

New Delhi, the 15th April 1971

S.O. 2265.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Martin's Light Railways and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Martin's Light Railways, Calcutta in terminating the services of the entire Head Office Staff with effect from the 1st January, 1971 was justified. If not, to what relief are the workmen entitled?

[No. L. 41011/1/71/LRIII.]

(अस और रोजगार विभाग)

नई दिल्ली 15 अप्रैल, 1971

का० आ० 2265.—यतः केन्द्रीय सरकार की राय है कि इसमें उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मार्टिन्स लाइट रेलवेज से संबंधित नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिये निर्दिष्ट करना बांछनीय समझती है ;

अतः, अब औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खंड (ध) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उक्त विवाद उक्त अधिनियम की धारा 7-क के अधीन गठित औद्योगिक अधिकरण, कलकत्ता को न्यायनिर्णयन के लिये निर्दिष्ट करती है।

अनुसूची

क्या मार्टिन्स लाइट रेलवेज, कलकत्ता के प्रबंधन की मुख्यालय के समस्त कर्मचारीवृन्द की सेवाओं की प्रथम जनवरी 1971 से समाप्त करने की कार्यवाही न्यायोचित थी। यदि नहीं तो कर्मकार किस अनुतोष के हकदार है ?

[सं० का० एच 41011/1/71-एन प्रार०]

S.O. 2266.—Whereas the applications under section 33C(2) of the Industrial Disputes Act, 1947 (14 of 1947) specified in the Schedule hereto annexed are pending before the Labour Court, Bombay constituted by the notification of the Government of India in the late Ministry of Labour and Employment No. S. O. 1693, dated the 22nd May, 1965;

And whereas a large number of applications are pending with the said Labour Court;

And whereas the Central Government desires that the said applications should be disposed of expeditiously;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 33B of the Industrial Disputes Act, 1947 (14 of 1947), Central Government hereby withdraws the proceedings in relation to the said applications and transfers the same to the Labour Court, Jabalpur constituted by the notification of the Government of India in the late Ministry of Labour and employment No. S. O. 2748, dated the 6th September, 1966 and directs that the said Court shall proceed with each of the said proceedings from the stage at which it is transferred to it and dispose of the same according to law.

SCHEDULE

Sl. No.	Application No.	Parties to the dispute
1	2	3
1. LCB-3 of 1969	.	Shri G. M. Mangalwedhekar Vs. The Sangli Bank Ltd., Bombay-I.
2. LCB-4 of 1969	.	Shri V. V. Thakur Vs. The Sangli Bank Ltd., Bombay-I.
3. LCB-5 of 1969	.	Shri V. P. Tanksale Vs. The Sangli Bank Ltd., Bombay-I.

1	2	3
4.	LCB-6 of 1969	Shri M. R. Chitnis Vs. The Sangli Bank Ltd., Bombay-1.
5.	LCB-7 of 1969	Shri T. V. Shah Vs. The Sangli Bank Ltd., Bombay-1.
6.	LCB-8 of 1969	Shri M. S. Nerurkar Vs. The Sangli Bank Ltd., Bombay-1.
7.	LCB-9 of 1969	Shri A. B. Mehendale Vs. The Sangli Bank Ltd., Bombay-1.
8.	LCB-10 of 1969	Shri R. D. Khanvilakar Vs. The Sangli Bank Ltd., Bombay-1.
9.	LCB-11 of 1969	Shri S. D. Desai Vs. The Sangli Bank Ltd., Bombay-1.
10.	LCB-12 of 1969	Shri R. K. Sharma Vs. The Sangli Bank Ltd., Bombay-1.
11.	LCB-13 of 1969	Shri S. V. Mehendale Vs. The Sangli Bank Ltd., Bombay-1.
12.	LCB-14 of 1969	Shri S. R. Tilave Vs. The Sangli Bank Ltd. Bombay-1.
13.	LCB-15 of 1969	Shri S. P. Pargankar Vs. The Sangli Bank Ltd., Bombay-1.
14.	LCB-16 of 1969	Shri J. N. Gadgil Vs. The Sangli Bank Ltd., Bombay-1.
15.	LCB-17 of 1969	Shri M. A. Bilgikar Vs. The Sangli Bank Ltd., Bombay-1.
16.	LCB-18 of 1969	Shri V. D. Padhye Vs. The Sangli Bank Ltd., Bombay-1.
17.	LCB-19 of 1969	Shri P. R. Dalvi Vs. The Sangli Bank Ltd., Bombay-1.
18.	LCB-20 of 1969	Shri G. S. Chavan Vs. The Sangli Bank Ltd., Bombay-1.
19.	LCB-21 of 1969	Shri O. R. Jhanvi Vs. The Sangli Bank Ltd., Bombay-1.
20.	LCB-22 of 1969	Shri M. D. Sawant Vs. The Sangli Bank Ltd., Bombay-1.
21.	LCB-23 of 1969	Shri D. S. Padshi Vs. The Sangli Bank Ltd., Bombay-1.
22.	LCB-28 of 1969	Shri K. B. Shaikh Vs. The Sangli Bank Ltd., Bombay-1.

[No. L. 12025/9/71/LR/III (ii)]

S. S. SAHASRANAMAN, Under Secy.

का० आ० 2266.—यतः आयोगिक विवाद अधिनियम, 1947 (का 14) की धारा 33-ग (2) के अन्वीन, इससे उपाबद्ध अनुसूची में विनिर्दिष्ट, आवेदन भारत सरकार के भूतपूर्व श्रम और रोजगार मंत्रालय की अधिसूचना सं० का० आ० 1698, तारीख 22 मई, 1965 द्वारा गठित श्रम न्यायालय, मुम्बई के समक्ष लम्बित हैं ;

और यतः उक्त श्रम न्यायालय के पास बड़ी संख्या में आवेदन लम्बित हैं ।

और यतः केन्द्रीय सरकार चाहती है कि उक्त आवेदनों को शीघ्रता से निपटाया जाना चाहिए ;

अतः, अब, आयोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 33 ख की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त आवेदनों से संबंधित कार्यवाहियों को वापस लेती है और उन्हें भारत सरकार के भूतपूर्व श्रम और रोजगार मंत्रालय की अधिसूचना संख्या का० आ० 2748 तारीख 6 सितम्बर, 1966 द्वारा गठित श्रम न्यायालय, जबलपुर को अन्तरित करती है और निदेश देती है कि उक्त न्यायालय उक्त कार्यवाहियों में से प्रत्येक पर उस प्रक्रम से कार्यवाही करेगा जिस पर वह उसे अन्तरित की गई है और उसे विधि के अनुसार निपटाएगा ।

अनुसूची

क्रम संख्या	आवेदन सं०	विवाद के पक्षकार
1	2	3
1.	1969 का एल सी बी-3	श्री जी० एम० मंगलवेधेकर बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
2.	1969 का एल सी बी-4	श्री बी० बी० ठाकुर बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
3.	1969 का एल सी बी-5	श्री बी० पी० टंकसाहे बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
4.	1969 का एल सी बी-6	श्री एम० आर० चिन्तनिस बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
5.	1969 का एल सी बी-7	श्री टी० बी० शाह बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
6.	1969 का एल सी बी-8	श्री एम० एस० नेरुरकर बनाम दि सांगली बैंक लि०, मुम्बई-1
7.	1969 का एल सी बी-9	श्री आर० ड० बनवालकर बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
8.	1969 का एल सी बी-10	श्री ए० बी० महन्दल बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
9.	1969 का एल सी बी-11	श्री एस० डी० देसाई बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
10.	1969 का एल सी बी-12	श्री आर० के० शर्मा बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
11.	1969 का एल सी बी-13	श्री एस० बी० मेहन्दले बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
12.	1969 का एल सी बी-14	श्री एस० आर० निवाडे बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
13.	1969 का एल सी बी-15	श्री एस० पी० परगाकर बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
14.	1969 का एल सी बी-16	श्री जे० एन० गाडगिल बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
15.	1969 का एल सी बी-17	श्री एम० ए० बिलगोकर बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1

1	2	3
16.	1969 का एल सी बी-18	श्री बी० डी० पट्टे बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
17.	1969 का एल सी बी-19	श्री पी० आर० दालवी बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
18.	1969 का एल सी बी-20	श्री जी० एस० चवन बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
19.	1969 का एल सी बी-21	श्री ओ० आर० झांवी बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
20.	1969 का एल सी बी-22	श्री एम० डी० सावन्त बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
21.	1969 का एल सी बी-23	श्री डी० एस० पादशी बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1
22.	1969 का एल सी बी-28	श्री के० बी० शेख बनाम दि सांगली बैंक लिमिटेड, मुम्बई-1

[सं एल० 12025/9/71 एल आर-3(ii)]

टी० के० रामचन्द्रन,

कृते एस०एस० सहस्रनामन, अवर सचिव ।

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 26th May 1971

S.O. 2267.—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Displaced Persons (Claims) Supplementary Act, 1954 (No. 12 of 1954), the Central Government hereby appoints Shri D. Krishna Ayyar, Joint Secretary in the Ministry of Labour and Rehabilitation (Department of Rehabilitation) as Chief Settlement Commissioner for purposes of performing the functions assigned to such Chief Settlement Commissioner by or under the said Act with effect from the 24th May, 1971.

[No. 5(7)/Admn.II/71.]

(पुनर्वास विभाग)

(मुख्य बन्दीवस्त आयुक्त कार्यालय)

नई दिल्ली, 26 मई, 1971

एस० ओ० 2267.—विस्थापित व्यक्ति (शर्वा) अनुपूरक अधिनियम 1954 (1954 का 12) की धारा 3 की उपधारा (1) की प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री डी० कृष्णा अय्यर संयुक्त सचिव, श्रम तथा पुनर्वास मंत्रालय (पुनर्वास विभाग), को 24-5-1971 को मुख्य बन्दीवस्त आयुक्त, नियुक्त करती है ताकि वह मुख्य बन्दीवस्त आयुक्त के पद के लिए या उपरोक्त अधिनियम के अन्तर्गत निश्चित कार्य कर सके ।

[संख्या 5(7)/एडीएमएन II/71]

S.O. 2268.—In exercise of the powers conferred by Section 5 of the Administration of Evacuee Property Act, 1950 (31 of 1950), the Central Government hereby appoints Shri D. Krishna Ayyar, Joint Secretary in the Ministry of Labour and Rehabilitation (Department of Rehabilitation) as Custodian General of Evacuee Property for the purpose of performing the functions assigned to such Custodian General by or under the said Act with effect from the 24th May, 1971.

[No. 5(7)/Admn.II/71.]

एस० ओ० 2268.—निष्क्रान्त सम्पत्ति प्रशासन अधिनियम 1950 (1950 को 31) के भाग 5 की प्रदत्त शक्तियों का प्रयोग करते हुये, केन्द्रीय सरकार श्री डी० कृष्णा अय्यर, संयुक्त सचिव, श्रम तथा पुनर्वास (पुनर्वास विभाग) मंत्रालय को 24-5-1971 से निष्क्रान्त सम्पत्ति महापरि-रक्षक नियुक्त करती है ताकि वे उन कार्यों को कर सकें जो कि महापरि-रक्षक के पद के लिए निर-धारित हैं तथा उपरोक्त अधिनियम के अन्तर्गत हैं।

[संख्या 5(7)/एडी एम एन II/71]

S.O. 2269.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri D. Krishna Ayyar, Joint Secretary in the Ministry of Labour and Rehabilitation (Department of Rehabilitation) as Chief Settlement Commissioner for the purpose of performing the functions assigned to such Chief Settlement Commissioner by or under the said Act, with effect from the 24th May, 1971.

[No. 5(7)/Admn.II/71.]

JANKI NATH, Settlement Commissioner (C)
and Ex-officio Under Secy.

एस० ओ० 2269—विस्थापित व्यक्ति (मुअविजा तथा पुनर्वास) अधिनियम 1954 (1954 के 44) की प्रदत्त शक्तियों का प्रयोग करते हुये, केन्द्रीय सरकार श्री डी० कृष्णा अय्यर, संयुक्त सचिव, श्रम तथा पुनर्वास (पुनर्वास विभाग) मंत्रालय को 24-5-1971 को मुख्य बन्दोवस्त आयुक्त नियुक्त करती है ताकि वे उन कार्यों को कर सकें जो मुख्य बन्दोवस्त आयुक्त के पद के लिए उपरोक्त अधिनियम के अन्तर्गत निरधारित हैं।

[(संख्या 5(7)/एडी एम एन II/71)]

जानकी नाथ,

बन्दोवस्त आयुक्त (सी) व पदेन अग्रा सचिव।

(Department of Labour and Employment)

New Delhi, the 22nd May, 1971

S.O. 2270.—Whereas an industrial dispute exists between the employers in relation to the management of Modhujore Colliery of Messrs. Modhujore Coal Company (Private) Limited, Post Office Kajoragram, District Burdwan and their workmen represented by the Colliery Mazdoor Union (TNTUC), Post Office Asansol, District Burdwan;

And whereas the said employers and their workmen have by a written agreement in pursuance of the provisions of sub-section (1) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947) agreed to refer the said dispute to arbitration by the person specified therein and a copy of the said agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provisions of sub-section (3) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement.

Agreement

Under Section 10A of the Industrial Disputes Act, 1947

BETWEEN

Name of the parties:

Representing the employers

1. Shri R. C. Patel, Resident Director, M s. Modhujore Coal Co. (P) Ltd., P. O. Kajoragram, Distt. Burdwan.
2. Shri H. B. Mehta, Agent, Modhujore Colliery P. O. Kajoragram, Dist. Burdwan.

Representing the workmen

1. Shri Phani Roy, Vice-President, Colliery Mazdoor Union (INTUC), G.T. Road, P. O. Asansol, Dist. Burdwan.
2. Shri Provat Goswami, Jt. Secretary, Colliery Mazdoor Union (INTUC), G. T. Road, P. O. Asansol, Dist. Burdwan.

It is agreed between the parties to refer the following industrial dispute to the arbitration of Shri O. Venkatachalam, Chief Labour Commissioner (C), New Delhi.

(i) *Specific matters in dispute :*

"Whether the management of Modhujore Colliery of M s. Modhujore Coal Co. (P) Ltd P. O. Kajoragram, Dist. Burdwan was justified in dismissing from service the workmen named below with effect from 10-4-1971 ? If not to what relief are the workmen concerned entitled ?

Sl.	Name of the workmen	Designation
1.	Shri Ramnath Singh	Loader
2.	Shri Md. Saddique Mia	Loader
3.	Shri Shankar Harijan	Loader
4.	Shri Balli Harijan	Loader
5.	Shri Shew Nath Kanu	Loader
6.	Shri Ramchandra Rajbhar	Surfae Trammer
7.	Shri Tuffani Harijan	Onsetter
8.	Shri Sk. Hadish	Timber Mistry
9.	Shri Provokar Roy	Mining Sirdar
10.	Shri Chabbi Yadav	Machine Mazdoor
11.	Shri Ugrasen Singh	U. G. Trammer

- (ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved Modhujore Colliery of M s. Modhujore Coal Co. (P) Ltd., P. O. Kajoragram Dist. Burdwan.
- (iii) Name of the Union, if any, representing the workmen in question. Colliery Mazdoor Union (INTUC), G. T Road, P. O. Asansol, Dist. Burdwan.
- (iv) Total No. of workmen employed in the undertaking affected. 1050
- (v) Estimated number of workmen affected or likely to be affected by the dispute. Eleven

We further agree that the decision of the Arbitrator shall be binding on us.

The Arbitrator shall make his award within a period of one hundred eighty days or within such further time as is entered by mutual agreement between us in writing. In case the award is not made within the period aforementioned the reference to Arbitrator shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Signature of the parties:

Sd/- R. C. PATEL, Resident Director,

22/4/71

Sd/- H. B. MEHTA, Agent,

22 4/71

Representing the Employers.

Witness:

1. Sd/.....

22 4 71

2. Sd/.....

22 4 71

Sd/- PHANI ROY,

Vice-President 22 4/71

Sd/- PROVAT GOSWAMI,

Jt. Secretary

Representing the workmen.

Dated the 22nd April. 1971

[No. F. L-1913(8)/71-LRII.]

R. KUNJITHAPADAM, Under Secy.

(अम और रोजगार विभाग)

नई दिल्ली, 22 मई, 1971

का०आ० 2279.—यतः मैसर्स मोधुजोरे कोल कं० (प्राइवेट) लि०, की मोधुजोरे कोलियरी, डाकघर काजोरा ग्राम, जिला बर्दवान के प्रबन्धतंत्र से सम्बन्ध नियोजकों और उनके कर्मचारों के बीच, जिनका प्रतिनिधित्व कोलियरी मजदूर यूनियन (इन्टक), डाकघर आसनसोल, जिला बर्दवान करती है, एक औद्योगिक विवाद विद्यमान है ;

और यतः उक्त नियोजकों और उनके कर्मचारों ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की उपधारा (1) के उपबन्धों के अनुसरण में एक लिखित करार द्वारा उक्त विवाद को उसमें वर्णित व्यक्ति के माध्यस्थ के लिए निर्देशित करने का करार कर लिया है और उक्त माध्यस्थ करार की एक प्रति केन्द्रीय सरकार को भेजी गई है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की धारा (3) के उपबन्धों के अनुसरण में, केन्द्रीय सरकार उक्त माध्यस्थ करार को, एतद्वारा प्रकाशित करती है।

(करार)

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अधीन)

पक्षकारों के नामः
नियोजकों का प्रतिनिधित्व
करने वाले

- 1 श्री आर० सी० पटेल रेजिडेंट डायरेक्टर, मैसर्स मोधुजोरे कोल कं० (पी०) लि०, डाकघर काजोराग्राम जिला बर्दवान
- 2 श्री एच० बी० मेहता, एजेंट, मोधुजोरे कोलियरी, डाकघर काजोराग्राम, जिला बर्दवान।

कर्मचारों का प्रतिनिधित्व करने वाले :

- 1 श्री फानी राय, उपाध्यक्ष, कोलियरी मजदूर यूनियन (इन्टक), जी० टी० रोड, डाकघर आसनसोल, जिला बर्दवान।
- 2 श्री प्रोक्त गोस्वामी, संयुक्त सचिव, कोलियरी मजदूर यूनियन (इन्टक), जी० टी० रोड, डाकघर आसनसोल, जिला बर्दवान।

पक्षकारों के बीच निम्नलिखित औद्योगिक विवाद को श्री ओ० वेंकटराचलम, मुख्य श्रमायुक्त (केन्द्रीय), नई दिल्ली को माध्यस्थ के लिए निर्देशित करने का करार किया गया है :—

1 विनिर्दिष्ट विवाद प्रस्त विषय :

नया मैसर्स मोधुजोरे कोल कं० (पी०) लि०, की मोधुजोरे कोलियरी डाकघर काजोरा ग्राम, जिला बर्दवान का तीजे लिखे कर्मचारों को 10-4-1971 से सेवा से पदच्युत करना न्यायोचित था? यदि नहीं तो संबंधित कर्मकार किस अनुतोष के हकदार हैं?

क्रमांक	कर्मदार का नाम	पदनाम
1.	श्री रामनाथ सिंह	लोडर
2.	श्री मोहम्मद सादिक मिया	लोडर
3.	श्री संकर हरिजन	लोडर
4.	श्री बल्ली हरिजन	लोडर
5.	श्री शिशु नाथ कानू	लोडर
6.	श्री रामचन्द्र राजमर	सर्फेस टैमर
7.	श्री तूफकानी हरिजन	ग्रानसैटर
8.	श्री शेख हदिश	टिम्बर मिस्त्री
9.	प्रोबोकर राय	माइनिंग सिरदार
10.	श्री चबब्री य दव	मशीन मजदूर
11.	श्री उग्रसेन सिंह	यू० जी० ट्रैमर

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| <p>2 विवाद के पक्षकारों का विवरण, जिसमें अंतर्बलित स्थापन या उपक्रम का नाम और पता भी सम्मिलित है।</p> <p>3 यदि कोई संबंध प्रश्नगत कर्मकारों का प्रतिनिधित्व करता हो तो उसका नाम।</p> <p>4 प्रभावित उपक्रम में नियोजित कर्मकारों की कुल संख्या</p> <p>5 विवाद द्वारा प्रभावित या सम्भाव्यतः प्रभावित होने वाले कर्मकारों की प्राक्कलित संख्या</p> | <p>1 मैसर्स मोधुजोरे कोल कं० (पी०) लि० की मोधुजोरे कोलियरी, डाकघर काजोरा ग्राम, जिला बर्दवान।</p> <p>कोलियरी मजदूर यूनियन (इन्डक), जी० टी० रोड, डाकघर आसनसोल, जिला बर्दवान।</p> <p>1050</p> <p>ग्यारह।</p> |
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हम यह करार भी करते हैं कि मध्यस्थ का विनिश्चय हम पर आबद्ध कर होगा।

मध्यस्थ अपना पंचाट एक सौ अस्सी दिनों की कालावधि या इतने और समय के भीतर जो हमारे बीच पारस्परिक लिखित करार द्वारा बढ़ाया जाय, देगा। यदि पूर्व वर्णित कालावधि के भीतर पंचाट नहीं दिया जाता तो माध्यस्थ के लिए निदेश स्वतः रद्द हो जाएगा और हम नए माध्यस्थ के लिए बात चीत करने को स्वतंत्र होंगे।

पक्षकारों के हस्ताक्षर

ह०/- आर० सी० पटेल, रेजिडेंट डायरेक्टर
22/4/71

ह०/-फानी राय, उपाध्यक्ष 22/4/71

ह०/-प्रोबोत गोस्वामी, संयुक्त मंचि व।

ह०/-एच० बी० मेहता, एजेन्ट, 22/4/71

योजकों का प्रतिनिधित्व करने वाले
साक्षी

कर्मकारों का प्रतिनिधित्व करने वाले

1. ह०/- 22/4/71

2. ह०/- 22/4/71

तारीख: 22 अप्रैल, 1971

[संख्या 1913/8/71-एल० आर०-2.]

आर० कुजीयापदम, अवर सचिव।

